

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1973

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 1, 1973



Vol. 3

WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

Brown Printing Company
Printers—Binders
Montgomery, Alabama

Copyright 1973
State of Alabama

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF ALABAMA

REGULAR SESSION OF 1973

TWENTY-EIGHTH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 9, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Frank Arnold, Dexter Avenue United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Easters	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Parker	Weeks
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-seventh legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twenty-seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-seventh legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

H. J. R. 174. CHANGING THE NAME OF THE GEORGE C. WALLACE TRADE SCHOOL OF CULLMAN COUNTY.

Also:

H. J. R. 166. NAMING THE COOSA RIVER BRIDGE AT SOUTHSIDE, ALABAMA, AFTER SENATOR RICHARD MALONE.

And the resolutions were adopted.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E), due to illness.

BILLS ON SECOND READING

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1247. Requiring fluoridation of public water supplies; prescribing the powers and duties of the State Board of Health in relation thereto.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 365. (With Substitute) (With Amendment): To amend Sections 1, 2, 5, 7, 8, 11 and 15 and repeal Section 18 of Act No. 403, H. 330, Regular Session 1971 (Acts 1971, p. 689) which act relates to requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating a Board of Barber Examiners and prescribing penalties for violation of the act.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1021. (With Substitute): To empower and direct the Director of the Department of Public Health to formulate and implement rules and regulations governing the operation of camp recreational facilities provided for minor children; to authorize the appointment of an advisory committee; to provide for the issuance of operating license for such camps; to provide penalties for the violation of this act.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1570. To authorize the State Board of Health to purchase, lease, accept, or acquire suitable sites for the concentration, storage, and disposal of radioactive wastes and other hazardous chemical materials; to provide for the supervision of the operation of such sites; to contract with public or private agencies for the operation or maintenance of such sites; to fix by contract, or to establish and revise from time to time and charge and collect revenues, rentals, rates, and charges for the use of the services and facilities of such sites; to establish a perpetual fund for the maintenance of such sites in a manner consistent with the interests of the public health and safety; and to authorize the State Board of Health to prepare and enforce regulations pertaining to the use and operation of such sites.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 786. (With Substitute): Declaring privileged the decisions, opinions, actions and proceedings of committees of dentists formed or appointed as Utilization Review Committees and Peer Review Committees and similar committees and exempting the members thereof from liability when acting in good faith and without malice and on facts reasonably known or believed to exist.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 624. To provide exemption from liability for any pharmacist serving on a peer or utilization review or professional standards review committee.

H. 1118. Relating to mental health defining terms; providing for a classification of patients; providing for the liability of patients and responsible relatives for maintenance and care, and the duty of superintendents; providing for a determination of costs, claims against estates, limitation of actions; providing for the execution of contracts and bonds to secure payment of maintenance and care; providing for care of indigents, determination of indigency, actions to collect for maintenance and care; providing for the estab-

lishment of rules for determining indigency and rates of charge; providing authority within department to make general rules to administer the act; providing for the furnishing of necessary financial information and payment of assigned insurance benefits; repealing all conflicting laws.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 745. (With Amendment): Further amending Code of Alabama 1940, Title 22, Sections 40, 42 relating to Vital Statistics, providing for equitable fees for service to county registration districts and state registration district in conformity with surrounding states.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 779. (With Substitute): To amend Section 262 of Title 46 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from the criminal penalties provided therein the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

H. 778. (With Substitute): To amend Section 12 of Act No. 107 adopted at the 1959 Regular Session of the Legislature of the State of Alabama so as to exempt from the criminal penalties provided therein the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

H. 777. (With Substitute): To amend Section 2 of Act No. 106 adopted at the 1959 Regular Session of the Legislature of the State of Alabama so as to exclude from the definition of the practice of the healing arts, for purposes of said Act No. 106, as amended, the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1907. To amend Sections 2, 3, 5, 6, 7, 8 and 10 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, and to repeal Section 4 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, said Act creating the Board of Nursing, relating to Nursing and the practice of

Nursing, qualifications of nurses, fees and charges for services of the Board of Nursing, the disciplining of licensees and fixing penalties for violations of said Act.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 673. (With Amendment): To amend Act No. 582 of Regular Session, 1963, (Acts 1963, Pg. 1266), pertaining to ionizing radiation control by adding a prohibition of announcing inspections, by adding civil penalties, by adding criminal penalties, by adding the posting of bonds, by providing for the delegation of authority, by designating the Radiation Control Agency for the purposes of the Federal Occupational Safety and Health Act of 1970, P. L. 91-596, by establishing the Radiation Reclamation Fund and providing for appropriations therefrom.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 676. (With Substitute): Further amending Code of Alabama 1940, Title 22, Section 204 (42) (b), 204(46), and 204(51); relating to Hospital Licensure.

Mr. Pruitt, Chairman of the Standing Committee on Banking, reported that said Committee on Banking, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 181. To provide for equalization of the maximum rate of interest permitted to be charged by State banks with the maximum rate permitted by State law to be charged by any competing state chartered or licensed lending institution or by Federal law to any competing national bank.

H. 1285. To provide an Amendment to the Constitution of Alabama authorizing and providing for the repeal and annulling of Section 74 of the Constitution of Alabama of 1901, as amended.

The above bill was read a second time at length as required by the Constitution.

H. 1286. Setting forth standards of care for fiduciaries (as defined) in the acquisition, investment, disposition, and management of the property of others; authorizing, generally, the acquisition and retention of all kinds of property and listing specific types of investment authorized; charging the fiduciary with the exercise of discretion in the holding and disposition of property; prohibiting the fiduciary from ignoring or departing from the express terms of instruments under which they are acting; defining the terms "legal investment" and "authorized investment" under this Act; allowing courts of proper jurisdiction the right to permit deviations from terms of instruments relating to the acquisition, investment, reinvestment, exchange, retention, sale or management of fiduciary property; and providing that present and future fiduciaries shall be governed by the terms of the Act.

H. 1287. To amend Section 222, Title 52, The Code of Alabama of 1940, as recompiled in 1958, which section relates to place and method of payment of warrants, by eliminating therefrom the schedule of maximum fees to be paid a paying agent for the services performed in acting as paying agent of a board of education and as reimbursement for expenses incurred in remitting payments of warrants and/or coupons therefrom and substituting therefor a provision that a board of education shall pay such reasonable fees for such services, and as such reimbursement as may be negotiated and agreed upon by the board of education and its paying agent.

H. 1288. To amend Section 8-102 of Act No. 549, S. 2. Regular Session 1965, (an Act known as the Uniform Commercial Code) so as to change the definition of "clearing corporation" contained in said Section 8-102.

H. 1289. Authorizing fiduciaries holding securities as executor, administrator, guardian, conservator, trustee, agent, custodian, or in any other fiduciary relationship to deposit, or arrange for the deposit of, such securities in a clearing corporation and, when such securities are so deposited, certificates and other instruments representing securities of the same class of the same issuer may be merged and held in bulk in the name of the nominee of such clearing corporation with any other such securities deposited in such clearing corporation by any person regardless of the ownership of such securities, and certificates or other instruments of smaller denomination may be merged into one or more certificates or other instruments of larger denomination; providing that ownership of, and other interest in, such securities may be transferred by entries on the books of the clearing corporation without physical delivery of certificates or other instruments representing such securities; and prescribing the conditions upon which securities may be so deposited.

H. 1290. Authorizing banks and trust companies holding securities as executor, administrator, guardian, conservator, trustee, agent, custodian, or in any other fiduciary relationship to hold same in a manner such that, without certification of ownership attached, certificates and other instruments representing securities of the same class of the same issuer constituting assets of different accounts are held in bulk, including the merging of certificates or other instruments of smaller denominations into one or more certificates or other instruments of larger denominations; requiring and authorizing the consent of its co-fiduciary where the bank or trust company holds such securities as a co-fiduciary; authorizing securities so held to be registered in the name of a nominee; and prescribing the conditions upon which securities may be so held.

H. 1291. Authorizing banks and trust companies holding treasury securities as executor, administrator, guardian, conservator, trustee, agent, custodian, or in any other fiduciary relationship to deposit, or arrange for the deposit, with the federal reserve bank in its district of such treasury securities to be credited to one or more accounts on the books of said federal reserve bank in the name of such bank to be designated trust or other accounts in accordance with rules and regulations of the federal reserve bank, to which similar treasury securities deposited by the bank for other fiduciary accounts may be credited; providing that ownership of, or interest in, such treasury securities may be transferred by entries on the books of said federal reserve bank without physical delivery thereof; requiring and authorizing the consent of its co-fiduciary where the bank or trust company holds such securities as a

co-fiduciary; and prescribing the conditions upon which treasury securities may be so deposited.

H. 1357. To provide for the registration or holding of securities held by a corporate fiduciary in its name or in the name of a nominee of such fiduciary so as to permit corporate fiduciaries to cause any stock or other security held in such capacity to be held separate from the assets of other fiduciary accounts or to be merged and held in bulk with like securities held in such capacity for other fiduciary accounts.

H. 1770. To require annual audits by licensed certified public accountants or licensed certified public accounting firms of banks and savings and loan associations; to require reports of such audits to be made to the State Superintendent of Banks; to authorize the State Superintendent of Banks to prescribe form and content of such audits and reports; and to prescribe penalties.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1406. To permit local governmental units and boards of education and school superintendents to cooperate in order to establish and operate joint educational facilities and services, and to regulate contracts relative thereto.

H. 1581. To create a board of trustees to manage and control Alabama Agricultural and Mechanical University at Normal, Alabama; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said university; and to provide for the transfer from said state department of education to the board of trustees of Alabama Agricultural and Mechanical University of all supplies, funds, books, documents, records and other property or effects of such university.

H. 1582. To create a board of trustees to manage and control Alabama State University; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said university; and to provide for the transfer from said state department of education to the board of trustees of Alabama State University of all supplies, funds, books documents, records and other property or effects of such university.

H. 1897. To propose an amendment to the Constitution of Alabama to provide for a board of trustees to manage and control Alabama State University at Montgomery.

The above bill was read a second time at length as required by the Constitution.

H. 1899. To propose an amendment to the Constitution of Alabama to provide for a board of trustees to manage and control Alabama Agricultural and Mechanical University at Normal, Alabama.

The above bill was read a second time at length as required by the Constitution.

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1155. (With Substitute) (With Amendment): To authorize applicants for registration to vote to make application during any regular court-house office hours; and to authorize the county governing bodies to provide the necessary funds and personnel to provide such service.

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1873. To provide for reapportionment of the two houses of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the house with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 46. To require the tax assessor of each county in this state to assess and estimate a value on all real and personal property therein, including all property which is exempted from ad valorem taxation.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1795. To amend the Title and Sections 3, 19, 11, 14 and 16 of Act No. 2079 adopted at the 1971 Regular Session of the Legislature of Alabama, pertaining to municipal parking authorities incorporated in cities having a population of 300,000 or more according to the last or any subsequent federal census, which sections relate to the definitions set forth in said act, the powers of such authorities, the operation or leasing of parking facilities by such authorities, the bonds of such authorities and security therefor, so as to clarify and grant additional powers regarding the issuance of bonds, the security therefor, the leasing and sale of such facilities and other matters and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act as amended, notwithstanding subsequent changes in the population of the city authorizing its incorporation.

H. 1852. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to pro-

vide for the payment of the same and to provide the date when said Act shall go into effect.

H. 1824. To amend Sections 5.01, 5.02, and 5.10 of Act No. 452 of the 1955 Regular Session of the Legislature of Alabama (Acts of Alabama 1955, page 1004, et seq.), entitled, as amended: "To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 300,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof."

H. 1868. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction of otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

H. 1883. Relating to counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census; to provide that all members of the public school boards of education in such counties be required to reside within the area over which the particular school system has jurisdiction and to provide that where the board members are elected they shall be elected only by voters residing within that school district.

H. 1886. To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy District Attorney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

S. 468. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect the ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the power to levy and collect each year an additional tax of three-fourths of one per centum based upon the value of the property therein as fixed for state taxation, and the further power to increase in the future the rate at which ad valorem taxes are levied provided that any increase is first approved by an act of the Legislature and by a majority vote of the qualified electors in the City of Mountain Brook.

The above bill was read a second time at length as required by the Constitution.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1825. (With Amendment): To provide additional methods of annexing territory to any city of the State having a population of 300,000 or more inhabitants according to the last or any subsequent federal census.

H. 1828. (With Amendment): To prohibit, in any county having a population of 600,000 or more according to the most recent federal decennial census, the occupancy of any building or structure any part of which is situated upon real property which abuts or joins that part of a street, alley, public way or right of way within which is situated pipes or mains of an approved public water supply system and which is not directly connected to water mains or pipes of an approved public water supply system; and to prohibit, in such counties, the sale or distribution of insanitary, impure or unwholesome water.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 360. (With Substitute): To revise existing bail practices in the courts of Alabama to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest, to be known as the Alabama Bail Reform Act of 1973, and to amend certain sections of the Code of Alabama 1940 to conform with such revision.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1724. (With Amendment): Applicable to any county having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; to restrict the issuance of licenses by the Alcoholic Beverage Control Board within such county.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1804. To further amend Section 385, Title 51, Code of Alabama of 1940 as heretofore amended to allow as a deduction in the computation of net income for income tax purposes contributions under pension, profit-sharing and annuity plans for the benefit of self-employed individuals or employees or both.

H. 1805. To further Amend Section 392, Title 51, Code of Alabama of 1940 as heretofore amended.

H. 867. Providing for the abandonment of interests in oil or gas in land owned by a person other than the owner of the surface and providing for the preservation of such interests.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 411. (With Amendment): To fix the salary of the Tax Assessor of Mobile County and to regulate the payment thereof.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 739. (With Amendments): To amend further Code of Alabama 1940, Title 13, Section 254 as last amended by Act No. 313, H. 823, Regular Session 1971, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 740. (With Amendment): To amend further Section 4, Act No. 172, H. 187, 1st Special Session 1964, as amended, which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by increasing the salary range for the Administrative Assistant to the District Attorney in such counties.

H. 1811. (With Amendment): To fix the compensation or salary of the Clerk of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1903. Proposing an amendment to the Constitution of Alabama authorizing the levying of a special property tax in Mobile County for the purpose of carrying out the operation and programs of the County Health Department, including a program to control mosquitoes, rodents and other vectors of public health and welfare significance.

The above bill was read a second time at length as required by the Constitution.

H. 1128. To provide for official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Sections 827 (1) thru and including Section 827 (6), as last amended, of Title 7 of the Code of Alabama shall apply to and govern procedures in such courts.

H. 1833. To amend the title and Section 2 of Act No. 2453, Acts of Alabama, Regular Session 1971 (1971 Acts, Vol. V, p. 3920), which relates to certain counties classified on a population basis, so as to exempt certain municipalities and governmental agencies and their employees from its provisions.

H. 1352. Relating to Mobile County, authorizing the government of each municipality in the county to contribute public funds for a volunteer rescue squad.

H. 1721. To authorize the County Commission of Mobile County to make appropriations for the support, operation, maintenance, improvement and expansion of the Greater Mobile Safety Council in Mobile County for the use and benefit of the public.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1192. (With Substitute): To prohibit the State Committee of Public Health from closing or denying a health permit to certain food handling establishments in all counties with a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 634. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1454. To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent Federal decennial census.

H. 1555. To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

H. 1704. To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

H. 1826. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

H. 1859. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

H. 1862. Relating to all counties having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

H. 1863. Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

H. 1864. Relating to any counties having a population of not less than 39,500 nor more than 41,750, authorizing the county commission to set an expense allowance for county officials.

H. 1870. To amend Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), which relates to providing compensation and allowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

H. 1871. Relating to Cleburne County to provide for the payment of a clerk hire allowance in the probate judge's office.

H. 1875. To authorize the Autauga County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

H. 1880. To authorize the Etowah County Commission to provide for the relief of Mrs. Carolyn D. Thomas, a widow of Deward W. Thomas, an employee of the county until his accidental death on February 16, 1972.

H. 1882. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing an additional expense allowance for county superintendents of education.

H. 1889. To provide for the semi-annual publication by the governing body of Lawrence County of an itemized account of all receipts and expenditures of said Lawrence County, and to provide penalty for failure to observe this law.

H. 1892. To amend Section 5 of Act No. 315, H. 390, 1971 Third Special Session (Acts of 1971, Vol. 5, Pages 4605, 4606) entitled, "An Act Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of Warrant Clerk in each commissioner's district in such county; and to provide for their appointment, tenure and compensation."

H. 1900. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

H. 1904. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

H. 1910. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to further provide for the classification of certain lunchroom employees of boards of education of such counties.

H. 1911. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to provide that any county employee who has become a member and participates in the State Employees' Retirement System shall be allowed prior service credit for any time served as an employee of the State of Alabama prior to such membership.

H. 1915. Relating to Marshall County; to authorize and permit grocery stores to remain open on Sunday provided any such grocery store does not have on duty in such stores more than three employees at any one time on Sunday and to provide for licensing such grocery stores by the license issuing officer of such county.

H. 1916. To establish a Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County and of the office of the Register of the Circuit Court of Marshall County, to provide for the membership of such Salary Commission, to define its powers and duties, and to define the duties of the Clerk of the Circuit Court of Marshall County and

of the Register of the Circuit Court of Marshall County with reference to such Commission, and the duties of the Marshall County Commission with reference to such Salary Commission.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1556. (With Amendment): To amend further Act No. 56, H. 285, Regular Session, 1953 (Acts 1953, p. 76), as heretofore amended, an Act levying additional privilege and license taxes in Tuscaloosa County; so as to redefine terms relating to hospital boards and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in Session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 173. To permit banks now or hereafter situated in counties having a population of not less than 16,600 nor more than 16,950 according to the last or most recent federal decennial census, to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

S. 236. To authorize any city in any county having a population of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census, to establish, maintain and operate a non-profit ambulance service.

S. 503. Relating to Etowah County; providing that the governing body of Etowah County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

S. 504. To amend Section 2 of Act No. 398, H. 876, Regular Session, 1955, (Acts 1955, p. 933), an act relating to Etowah County, creating the governing body of such county, said Section 2 thereof providing for the election and term of office of the president of such governing body.

S. 511. Relating to Wilcox County; providing an additional expense allowance for the chairman and members of the Wilcox County Commission or other like governing body.

S. 524. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of the Tax Collector and or the Tax Assessor of Choctaw County, Alabama.

S. 529. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

S. 533. To authorize the county governing body in any county having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census to create a county development fund.

S. 534. Relating to all counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census, providing for an expense allowance for members of the county commission.

S. 539. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Newton, Dale County, Alabama.

S. 541. Relating to all counties with a population of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to provide an additional expense allowance for the coroner of such counties.

S. 553. Relating to Monroe County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

S. 588. Relating to the DeKalb County Inferior Court; changing the name of this court to DeKalb County District Court.

S. 589. Relating to DeKalb County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

S. 590. Relating to DeKalb County; to amend Act No. 361, S. 561, Regular Session 1971 (Acts 1971, p. 658), fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

S. 618. To authorize the Tax Assessor, Tax Collector, and Clerk of the Circuit Court, Judge of Probate Court and Judge of the Intermediate Court in all counties having a population of not less than 23,900 nor more than 24,450 to hire clerical assistants, to set the compensation of such assistants, and to provide that the salaries of such assistants be paid from the general funds of such Counties.

S. 627. To authorize the governing body of DeKalb County to pay all expenses incurred by the Circuit Court Clerks and Registers in their respective state organizations.

S. 628. To amend Section 1 of Act No. 359, S. 559, Regular Session 1971 (Acts 1971, p. 657), which Act provides for the compensation of the members and clerk of the jury commission of DeKalb County.

S. 630. Relating to DeKalb County; fixing the salary of the chief deputy, deputies and other positions of the sheriff's office and providing the method of paying such salaries; and repealing conflicting laws.

S. 635. To permit banks now or hereafter situated in Choctaw County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

S. 645. Relating to Marshall County; to provide for the compensation of the Judge of the County Court of Marshall County, Alabama, to take effect upon the expiration of the term of the incumbent Judge of the County Court.

S. 646. To authorize the Judge of the County Court to permanently transfer, by appropriate entry on the docket sheet any pending suits and pro-

ceedings for divorce or separate maintenance, suits for annulment of marriage, and any case or proceedings involving custody and support of children, granting, and enforcement of alimony, and all other domestic and marital matters over which the County Court has concurrent jurisdiction with the Circuit Court of the 27th Judicial Circuit. Such cases to be transferred in the discretion of the Judge of the County Court. METHOD OF TRANSFER:

S. 648. To authorize and provide for the establishment, maintenance, operation, and financing of a Public Law Library in Marshall County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel.

S. 649. Relating to Marshall County; to provide for the payment to the Judge of the County Court for expenses of attending seminars, conferences, schools and payment of dues for memberships in County Judge's Organizations.

S. 650. Relating to Marshall County: The Circuit Judges of the 27th Judicial Circuit are authorized to appoint not more than two (2) attorneys licensed to practice law in Alabama and are members of the Marshall County Bar Association as Warrant Issuing Magistrates with authority to issue warrants, search warrants and writs of arrest for Marshall County and to provide for their compensation.

S. 651. To authorize the Circuit Judges of the Circuit Court of Marshall County to appoint bailiffs and to provide for compensation of such bailiffs, to further define duties of bailiff and to authorize the use of such bailiffs by the Judge of the County Court of Marshall County.

S. 659. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

S. 660. To provide for monthly compensation of the Chairman and Board members of the Rainbow City Gas, Water, and Sewer Board, in Etowah County.

S. 604. To further amend Sections 1 and 2 of Act No. 621, H. 1059, Regular Session 1951 (Acts 1951, p. 1074), as amended, which authorize the circuit clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant so as to provide further for additional assistants to the circuit clerk and provide for their compensation.

S. 661. Relating to the 14th judicial circuit, providing a secretary for the circuit judge.

S. 663. Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census.

S. 665. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

S. 696. Relating to the Fourteenth Judicial Circuit, providing further for the salaries of the court reporters of said circuit.

S. 699. To establish a Civil Service System for the City of Russellville; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purpose of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the compensation and expenses of such board; to guarantee certain rights to the governing body of the city; and to exclude certain employees from the provisions of this act.

S. 714. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

S. 744. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Tax Collector and Tax Assessor and to provide for the payment of the same for said officers of such counties.

S. 765. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of a member or members of the Choctaw County Commission or governing body of Choctaw County, Alabama.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the follow-

ing bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1888. To require that all district attorney's fees taxed and collected in all reciprocal support cases in the Twenty-Third Judicial Circuit shall be paid into the District Attorney's Fund of the county composing such circuit.

H. 1909. Pertaining to Madison County, to consolidate the offices of Register in Chancery of the 23rd Judicial Circuit, the office of County Court Clerk or its successor and the Clerk of the Circuit Court, 23rd Judicial Circuit; to provide that the Clerk of the said Circuit Court henceforth perform duties and functions of the said Register and County Court Clerk; to provide the compensation of the Circuit Clerk and to otherwise provide for the office of Clerk of the Circuit Court, 23rd Judicial Circuit of Alabama; to create the office of Court Administrator; to provide the compensation and duties of said office and to otherwise provide for said office.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1926. To repeal Act No. 2190, H. B. 2769, Regular Session 1971, (Acts 1971, p. 3504), entitled "An Act relating to all counties having a population of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale (With Notice and Proof):

H. 1927. Relating to Madison County; providing for the appointment and compensation of a bailiff for each judge of the County Court and repealing conflicting laws.

Local Legislation No. 4.

Notice and Proof H. 1927:

STATE OF ALABAMA COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Madison County; providing for the appointment and compensation of a bailiff for each judge of the County Court and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, any other provision of the law to the contrary notwithstanding, each judge of the County Court shall have the

power and authority to appoint a bailiff to serve in such court. Each bailiff so appointed shall receive a salary equal to the salary paid to the bailiffs of the Circuit Court in Madison County, which salary shall be payable in equal installments out of the treasury of the county upon warrant of the Chairman of the County Commission or like governing body of the county. Each bailiff so appointed shall hold office at the will and pleasure of the judge appointing him.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, 10, 17, and 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1928. To repeal Act No. 2282, S. 1220, Regular Session 1971, (Acts 1971, p. 3683), entitled "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1929. To repeal Act No. 2189, H. 2768, Regular Session 1971, (Acts 1971, p. 3503), entitled, "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less

than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale (With Notice and Proof) :

H. 1930. Relating to Madison County; providing that the Family Court Division of the Circuit Court shall collect a filing fee for the filing of juvenile cases in such court and providing further the judges of such court may assess a fine against juveniles for the violation of law and providing for the disposition of such cost and fine.

Local Legislation No. 4.

Notice and Proof H. 1930:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing that the Family Court Division of the Circuit Court shall collect a filing fee for the filing of juvenile cases in such court and providing further the judges of such court may assess a fine against juveniles for the violation of law and providing for the disposition of such cost and fine.

Be It Enacted by the Legislature of Alabama:

Section 1. The Family Court Division of the Circuit Court of Madison County may assess and collect a fee in the amount of \$15.00 for the filing of each case in such court wherein a juvenile is adjudged to be delinquent under the provisions of Chapter 7, Title 13, Code of Alabama.

Section 2. The fee so collected shall be paid into the general fund of Madison County by the 10th of the month following collection thereof.

Section 3. Any person convicted of violating any of the offenses or provisions of Chapter 7, Title 13, Code of Alabama, may be fined by the Judge of said court in an amount not more than \$500.00.

Section 4. The fines so collected by the Family Court Division of such Circuit Court shall be paid into the general fund of the county by the 10th of the month following collection.

Section 5. This Act is cumulative. Nothing herein contained shall alter or change any existing law relating to fees to be collected in Madison County by such court or the power, authority or duty of the Judge of such court to impose fines for offenses committed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1931. To repeal Act No. 1199, H. 2111, Regular Session 1971, (Acts 1971, p. 2078), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations."

Local Legislation No. 4.

By Messrs. Grainger, Lutz, King, Hearn and Hale (With Notice and Proof):

H. 1932. Relating to Madison County; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations of any of the provisions of this Act.

Local Legislation No. 4.

Notice and Proof H. 1932:

STATE OF ALABAMA COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Madison County; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations of any of the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, it shall be unlawful for any person, firm, corporation, or association to discharge, dispose or negligently to allow the deposit in the public streams of the county, of any wastes composed of raw sewage, industrial wastes or other wastes including any soil, sand, clay, chalk, kaolin, muck, slush or other residue resulting from any excavations or preparations for roads, bridges, industrial, recreational or other building sites, or mining operations, (Not limited to but including hydraulic mining operations), soil testing, reclamation projects or other operations of any nature whatsoever in such manner as to pollute, discolor, contaminate, clog, or divert the public streams in the county; unless said waste is first treated or processed in accordance with the standards promulgated by the Alabama Water Improvement Commission.

Section 2. Any person, firm, corporation or association violating any of the provisions of this Act shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars and may also be imprisoned in the county jail or sentenced to hard labor for the county, for not more than six months. Each day such violation continues shall constitute a separate offense.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1933. To repeal Act No. 1479, S. 1019, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most

recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles in such counties and cities."

Local Legislation No. 4.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1934. To repeal Act No. 1333, H. 2121, Regular Session 1971, (Acts 1971, p. 2282), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities."

Local Legislation No. 4.

By Messrs. Lutz, King, Hearn, Hale and Grainger (With Notice and Proof):

H. 1935. Relating to Madison County and the City of Huntsville in Madison County; providing for the maintenance, management and operation of places of detention for juveniles.

Local Legislation No. 4.

Notice and proof H. 1935:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and the City of Huntsville in Madison County; providing for the maintenance, management and operation of places of detention for juveniles.

Be It Enacted by the Legislature of Alabama:

Section 1. The aggregate of all costs of operating the place or places of detention provided for the detention of juveniles shall be borne share and share alike by Madison County and the City of Huntsville. Salaries and other like current expenses of operation shall be paid by the county in the first instance, and the city commission or council or other like governing body of the city shall reimburse the county for its share.

Section 2. The place or places of detention for juveniles in Madison County and the City of Huntsville shall be under the supervision, management, and control of the judge of the juvenile or family court division of the circuit court of Madison County. Said judge shall appoint all employees of said place or places and said employees shall be subject to the county wide merit or civil service system, if any such system be in existence in said county.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, 10, 17, and 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1936. To repeal Act No. 1327, H. B. 2115, Regular Session 1971, (Acts 1971, p. 2277), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1937. To repeal Act No. 1884, S. B. 1021, Regular Session 1971, (Act 1971, p. 3068), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks, which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Hale, Grainger and King (With Notice and Proof):

H. 1938. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for placing in the general fund of the county all surplus funds given to the District Attorney's office in the circuit by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in which such funds were paid in.

Local Legislation No. 4.

Notice and Proof H. 1938:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and the Twenty-Third Judicial Circuit; providing for placing in the general fund of the county all surplus funds given to the District Attorney's office in the circuit by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in which such funds were paid in.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County and the Twenty-Third Judicial Circuit, the District Attorney for said judicial circuit is authorized to conduct or cause to be conducted an audit and search of all records pertaining to all funds paid to the District Attorney or any of his assistants or employees for the purpose of restitution on any case of issuing a worthless check or similar charge.

Section 2. All monies paid to the District Attorney of the Twenty-Third Judicial Circuit or any of his assistants or other employees for the purpose of restitution on any case of issuing a worthless check or similar charge, which cannot, after a thorough audit and search of the records, be applied to particular cases pending in the circuit, shall, as soon as is practicable after the enactment of this law, be paid by the District Attorney of said judicial circuit into the general fund of the county.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and

that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1939. To repeal Act No. 1389, H. 234, Regular Session 1971, (Acts 1971, p. 2340), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1940. To repeal Act No. 1492, S. 1088, Regular Session 1971, (Acts 1971, p. 2570), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Hale, Grainger and King (With Notice and Proof):

H. 1941. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney.

Local Legislation No. 4.

Notice and Proof H. 1941:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and the Twenty-Third Judicial Circuit; providing for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Madison County and the Twenty-Third Judicial Circuit the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney. These positions are in addition to any positions for office personnel already provided the District Attorney of the Twenty-Third Judicial Circuit.

Section 2. The Administrative Assistant to the District Attorney of Madison County and the Twenty-Third Judicial Circuit is hereby empowered to report all the proceedings of the Grand Juries of the circuit. He shall report all hearings in any county courts and any municipal courts of said circuit when directed to do so by the District Attorney; and shall keep all official records in connection with the office of the District Attorney and under the direction of the District Attorney as the office may require. The Office Manager-Legal Secretary to the District Attorney shall perform the stenographic and clerical duties of the office of the District Attorney and shall manage and direct the stenographical and clerical activities of all other clerical personnel of the office, under the direction of the District Attorney as the office may require.

Section 3. The District Attorney of Madison County and the Twenty-Third Judicial Circuit is hereby empowered to appoint said Administrative Assistant to the District Attorney and said Office Manager-Legal Secretary to the District Attorney. Said Administrative Assistant and Office Manager-Legal Secretary shall be subject to the county wide merit or civil service system, if any such system is in existence in said county.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1942. To repeal Act No. 1321, H. 2105, Regular Session 1971, (Acts 1971, p. 2272), entitled, "An Act Relating to city recorders; providing for appointment of recorders in cities having populations of not less than

REGULAR SESSION
28th Day

2851

135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census."

Local Legislation No. 4.

By Messrs. Lutz, Hale, Grainger, King and Hearn (With Notice and Proof):

H. 1943. Relating to the City of Huntsville in Madison County; and providing for the appointment of city recorders.

Local Legislation No. 4.

Notice and Proof H. 1943:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Huntsville in Madison County; and providing for the appointment of city recorders.

Be it Enacted by the Legislature of Alabama:

Section 1. In the City of Huntsville in Madison County there shall be the office of recorder who shall have all the power and jurisdiction conferred by law or other recorders of cities in the State of Alabama. The court presided over by the recorder shall be entitled "The Recorders Court" and the Council or other governing body of the City of Huntsville shall elect, designate, and appoint a recorder of such court, whose official title shall be "Presiding Judge of the Recorders Court", and shall further elect, designate and appoint as many deputy recorders, whose office title shall be "Deputy Judges of the Recorders Court" as deemed necessary and proper. In the absence, disqualification, or disability for any reason of the presiding judge and of the deputy judges of said court, the president of the Council or other governing body may designate and appoint an acting judge of such court who must possess the necessary qualifications to be appointed presiding judge as herein provided; and such persons, when so designated and appointed, shall have all power and jurisdiction conferred by law upon recorders in the State of Alabama. No person shall be eligible for the office of presiding judge or deputy judge who is not a duly qualified elector of such city and who is not admitted to the practice of law before the Supreme Court of the State of Alabama. All deputy judges appointed shall have all the power and authority recorders have under the laws of the State.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, 10, 17, and 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Grainger, Hale, King and Hearn:

H. 1944. To repeal Act No. 1325, H. 2110, Regular Session 1971, (Acts 1971, p. 2275), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Local Legislation No. 4.

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 1945. To repeal Act No. 1481, S. 024, Regular Session 1971, (Acts 1971, p. 2537), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Local Legislation No. 4.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1946. To repeal Act No. 884, H. B. 1241, Regular Session 1969, (Acts 1969, v. 2, p. 1590), entitled, "An Act Relating to counties having populations of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Grainger, Hale and King:

H. 1947. To repeal Act No. 234, H. 255, Third Session 1971 (Acts 1971, p. 4504), entitled, "An Act To apply only to counties having a popula-

REGULAR SESSION
28th Day

2853

tion of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, King, Hale and Grainger (With Notice and Proof):

H. 1948. Relating to Madison County; permitting the county governing body to provide parking for certain persons and validating expenses incurred by the county governing body relative to parking prior to the passage of the Act.

Local Legislation No. 4.

Notice and Proof H. 1948:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; permitting the county governing body to provide parking for certain persons and validating expenses incurred by the county governing body relative to parking prior to the passage of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, the governing body of the county is hereby authorized to provide adequate parking for the automobiles or motor vehicles used by petit jurors, grand jurors, witnesses and employees of the state and county having offices in the county courthouse. The county governing body may furnish such parking through the acquisition and operation of parking lots, by contracting with any private or public agency for said purpose under such terms as it may deem necessary and desirable or by reimbursing those persons covered by this act for their personal expenses in securing such parking.

Section 2. All such costs, expenses and payments made by the county governing body of Madison County prior to the passage of this Act are hereby validated.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was

ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hearn, Grainger, King and Hale:

H. 1949. To repeal Act No. 323, H. 416, Third Special Session 1971, (Acts 1971, p. 4612), entitled, "An Act Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, King, Hale and Grainger (With Notice and Proof):

H. 1950. Relating to the City of Huntsville in Madison County; providing for the election of a president and vice president of the city board of education.

Local Legislation No. 4.

Notice and Proof H. 1950:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Huntsville in Madison County; providing for the election of a president and vice president of the city board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only to the City of Huntsville in Madison County in connection with the provisions for an elected board of education as provided for in Act No. 796 of the 1971 Regular Session, as amended.

Section 2. City boards of education elected under the provisions of said Act shall meet on the day following each election of members to such boards, and each such board shall elect one of its members to serve as president and one to serve as vice president and shall conduct such other business as may properly come before the board.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

REGULAR SESSION
28th Day

2855

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, King, Grainger, Hale and Hearn:

H. 1951. To repeal Act No. 1330, H. 2118, Regular Session 1971, (Acts 1971, p. 2279), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, Hearn, King and Hale:

H. 1952. To repeal Act No. 1328, H. 2116, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Local Legislation No. 4.

By Messrs. Lutz, King, Hearn, Grainger and Hale:

H. 1953. To repeal Act No. 1509, S. 1025, Regular Session 1971, (Acts 1971, p. 2594), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Local Legislation No. 4.

By Messrs. Lutz, King, Grainger and Hearn (With Notice and Proof):

H. 1954. Relating to Madison County; prescribing the maximum amount of compensation allowable to members of jury commissions.

Local Legislation No. 4.

Notice and Proof H. 1954:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; prescribing the maximum amount of compensation allowable to members of jury commissions.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County members of the jury commissions shall each be paid the sum of fifteen (\$15.00) dollars per day for the time actually engaged in the discharge of his duties as such member, to be paid out of the county treasury upon the warrant of the probate judge of the county. Such warrant shall be issued by the probate judge upon evidence satisfactory to him, that such service has been rendered; but the maximum amount payable to each member shall not exceed one thousand three hundred fifty (\$1,350.00) dollars per annum.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1955. To repeal Act No. 232, H. 253, Third Special Session 1971, (Acts 1971, p. 4501), entitled, "An Act Relating to Solicitor's or District Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, Hale, King and Hearn (With Notice and Proof):

H. 1956. Relating to Madison County and the Twenty-Third Judicial Circuit; pertaining to Solicitor's or District Attorney's Fund.

Local Legislation No. 4.

Notice and Proof H. 1956:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and the Twenty-Third Judicial Circuit; pertaining to Solicitor's or District Attorney's Fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County and the Twenty-Third Judicial Circuit, all Solicitor's or District Attorney's fees hereafter taxed as costs and collected in criminal cases shall be paid by the Clerk of the Court collecting fees into the Treasury of Madison County, in a fund to be designated the District Attorney's Fund and shall be kept, used and expended in the manner hereinafter provided. Such payment shall be made by the 10th day of each month following collection. All monies in any Solicitor's Fund affected at the passage of this Act shall be paid immediately into the District Attorney's Fund and shall be kept, used and expended in the manner hereinafter provided.

Section 2. The District Attorney of Madison County and the Twenty-Third Judicial Circuit is hereby authorized to requisition expenditures from the said District Attorney's Fund for the payment of the following items: (a) office supplies, postage and telephone; (b) Necessary expenses relative to obtaining evidence; (c) films, photos and maps; (d) travel expenses at the rate authorized by law for state officials; (e) continuing legal education and conferences; (f) professional dues and assessments; (g) professional books and periodicals for use in the office of the District Attorney; (h) witness fees and transportation costs; (i) for any other law enforcement or criminal prevention purpose.

The Madison County Board of County Commissioners shall pay for such items out of the District Attorney's Fund upon such requisition and upon cer-

tification made to the Board by the District Attorney that the funds requested were or are to be used for the purposes enumerated in this section of this Act.

Section 3. The Board of County Commissioners of Madison County is authorized to make expenditures from the District Attorney's Fund for the defense of indigent defendants in any County Court in the county upon the certification of the Judge of such Court that the defendant was entitled to a defense at public expense in accordance with existing law; provided however, that no expenditures authorized by this Section 3 shall be made by the Board of County Commissioners of such county until it is determined by the Board that there are sufficient monies in the fund or to become due to the fund to meet the expenditures required to be made under Section 2 of this Act.

Section 4. The Board of County Commissioners is authorized to make expenditures from the District Attorney's Fund upon requisition and certification made to the Board by the Presiding Judge of the Twenty-Third Judicial Circuit, a sum not to exceed \$4,000.00 during any fiscal year, to assist the judges of the circuit and the judges of the County Courts of Madison County for education and judicial purposes; provided however, that no expenditures authorized by this Section 4 shall be made by the Board of County Commissioners until it is determined by the Board that there are sufficient monies in the fund or to become due to the fund to meet the expenditures required to be made under Section 2 of this Act.

Section 5. On the first day of each and every fiscal year, said fiscal year beginning on the first day of each October and ending the last day of each September, all monies in the District Attorney's Fund which have not been expended as heretofore provided in this Act shall be transferred to the General Fund of Madison County and shall thereafter be expended and used as provided by law.

Section 6. The Chairman of the Board of County Commissioners of Madison County shall have the power to act for the Board upon the requisitions and in the payment of funds from the District Attorney's Fund.

Section 7. All laws and parts of laws which conflict with this Act are repealed.

Section 8. This Act is severable and if any part hereof is held to be unconstitutional, it shall not be construed to affect those parts which remain.

Section 9. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks with-

out cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, Grainger, Hearn, Hale and King:

H. 1957. To repeal Act No. 2314, S. 1086, Regular Session 1971, (Acts 1971, p. 3737), entitled, "An Act To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Grainger, Hale and King (With Notice and Proof):

H. 1958. Relating to Madison County; regulating further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court.

Local Legislation No. 4.

Notice and Proof H. 1958:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; regulating further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the register of the circuit court shall be entitled to the following fees in addition to the fees now provided by law for the following services in such cases, to-wit: where divorce, alimony, maintenance or support is sought, for receiving, keeping, paying out or disbursing or distributing money paid in installments for alimony or for maintenance or support of husband, wife, child or children, person or persons, five per cent on all installments not exceeding one hundred dollars, and one and one-half per cent on the amounts of installments in excess of one hundred dollars.

Section 2. All fees collected under the provisions of this Act shall be paid by the Register of the Circuit Court involved into the county treasury.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, and said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, King, Hearn, Grainger and Hale:

H. 1959. To repeal Act No. 896, H. 1594, Regular Session 1971, (Acts 1971, p. 1660), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 1960. To repeal Act No. 1306, H. 2094, Regular Session 1971, (Acts 1971, p. 2251), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent federal decennial census, to create a Planning Commission having certain powers, duties and regulations."

Local Legislation No. 4.

By Messrs. Lutz, King, Grainger, Hearn and Hale (With Notice and Proof):

H. 1961. Relating to the municipality of Huntsville in Madison County; authorizing the municipality to create a planning commission having certain powers, duties and regulations.

Local Legislation No. 4.

Notice and Proof H. 1961:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Huntsville in Madison County; authorizing the municipality to create a planning commission having certain powers, duties and regulations.

Be It Enacted by the Legislature of Alabama:

Section 1. In the municipality of Huntsville in Madison County, the planning commission created pursuant to the provisions of Title 37, Section 788 Code of Alabama, as amended, shall consist of twelve members, namely the mayor, or, at the discretion of the mayor, in his stead his administrative assistant, one of the administration officials of the municipality selected by the mayor, and a member of the council to be selected by it as members ex officio, and nine persons appointed by the mayor.

Section 2. The adoption of any plan or amendment by the commission shall be by resolution of the commission pursuant to the provisions of Code Title 37, Section 793 as amended, and shall be carried by the affirmative votes of not less than six members of the commission.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, 10, 17, and 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 1962. To repeal Act No. 1331, H. B. 2119, Regular Session 1971, (Acts 1971, p. 2280), entitled "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn, Hale:

H. 1963. To repeal Act No. 1477, S. B. 1013, Regular Session 1971, (Acts 1971, p. 2534), entitled, "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Local Legislation No. 4.

By Messrs. Lutz, King, Hale, Grainger and Hearn (With Notice and Proof):

H. 1964. Relating to Madison County; authorizing the court of county commissioners, board of revenue or other like governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Local Legislation No. 4.

Notice and Proof H. 1964:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; authorizing the court of county commissioners, board of revenue or other like governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Be It Enacted by the Legislature of Alabama:

Section 1. The Madison County court of county commissioners, board of revenue or like governing body may in its discretion appropriate annually

from the public funds of the county an amount not exceeding \$5,000.00 as a contingent fund from which shall be paid any entertainment, or promotional expense incurred for and incidental to the promotion of the economic, industrial or cultural development of the county and from which shall be paid any other equitable and just claim or claims against the county for which the county is not legally liable, and for recovery of which the claimant or claimants have no recourse at law. Any appropriation so made shall be paid by the county treasurer or depository on warrants drawn in such manner as the county governing body may direct. Any unexpended or unencumbered balance in any such contingent fund created under this Act shall revert to the county general fund at the end of such fiscal year.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, 10, 17, and 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hearn, Grainger, King and Hale:

H. 1965. To repeal Act No. 126, H. B. 393, Regular Session 1971, (Acts 1971, p. 404) entitled, "An Act To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000."

Local Legislation No. 4.

By Messrs. Lutz, Hale, King, Grainger and Hearn (With Notice and Proof):

H. 1966. Relating to Madison County; providing for appointment and compensation of a secretary for each judge of the circuit court.

Local Legislation No. 4.

Notice and Proof H. 1966:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing for appointment and compensation of a secretary for each judge of the circuit court.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County each judge of the circuit court may appoint a qualified person to serve as secretary. The secretary shall serve at the pleasure of the judge making the appointment, and shall be paid a salary from the general fund of the county, upon certificate of such judge in an amount to be set by the county personnel board, if such exists, or otherwise by the county governing body.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Grainger, King, Hale and Hearn:

H. 1967. To repeal Act No. 1450, S. B. 971, Regular Session 1971, (Acts 1971, p. 2478), entitled "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy."

Local Legislation No. 4.

By Messrs. Lutz, King, Hale, Hearn and Grainger (With Notice and Proof):

H. 1968. Relating to Madison County; authorizing the Board of County Commissioners to establish legal names for all county roads and to set speed limits on county roads, consistent with state policy.

Local Legislation No. 4.

Notice and Proof H. 1968:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; authorizing the Board of County Commissioners to establish legal names for all county roads and to set speed limits on county roads, consistent with state policy.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, the Board of County Commissioners shall have the authority to designate legal names for all public roads, bridges and ferries located within the county which are built with or maintained by county funds, in whole or in part; and, in addition, shall have the authority to establish speed limits upon such roads, which shall be consistent with the speed limits established by the State of Alabama for vehicular travel upon state roads and highways.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 1969. To repeal Act No. 1392, H. 237, Regular Session 1971, (Acts 1971, p. 2349), entitled, "An Act Creating and establishing a countywide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1970. To repeal Act No. 1488, S. 1083, Regular Session 1971, (Acts 1971, p. 2553), entitled, "An Act Creating and establishing a countywide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Local Legislation No. 4.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1971. To repeal Act No. 202, S. 133, Third Special Session 1971, (Acts 1971, p. 4468), entitled, "An Act To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Hale, Grainger and King (With Notice and Proof):

H. 1972. Relating to Madison County; creating and establishing a county-wide personnel system; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection,

powers, duties and compensation of the personnel director; and providing penalties for violation of any of the provisions of this Act.

Local Legislation No. 4.

Notice and Proof H. 1972:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; creating and establishing a county-wide personnel system; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; and providing penalties for violation of any of the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) In Madison County, there is hereby created and established a personnel department for the government and control of all employees and appointees holding positions in the classified service, as defined in Section 4.

(b) The personnel department shall consist of a personnel board and a personnel director. The personnel board shall consist of three members, one to be appointed as a joint appointee by the Sheriff of the County, the Circuit Court Clerk, the County Judge and the District Attorney; one to be appointed by the county governing body; and one to be appointed as a joint appointee by the County Tax Assessor, the County Tax Collector, and the Probate Judge. The current members of the Personnel Board shall continue to serve until the end of their respective terms. At the expiration of the term of each member, his successor shall be appointed for a term of six years.

(c) The members of the board shall be qualified electors of the county. No person shall be appointed to the board who holds any salaried public office or employment with the county, nor shall any member, while a member of the board or for a period of one year after he has ceased to be a member, be eligible for appointment to any salaried office or employment in the service of the county or any county elective office.

(d) The board shall hold one regular meeting each month and such special meetings as it shall deem necessary. The members of the board shall receive Fifteen Dollars (\$15.00) per diem for each meeting of the board they attend. The board shall not meet in excess of thirty days per year; provided, however, that the time consumed by the personnel board in hearings conducted under the provisions of Section 10(b) of this Act shall not be counted as a part of said thirty days.

Section 2. The members of the board shall elect one of their members chairman. The board shall determine the order of business for the conduct of its meetings and shall meet on the call of the chairman or by two of the members or by request of the county governing body. Two members of the board shall constitute a quorum for the transaction of business. The functions of the board shall be:

(a) To formulate and promulgate a set of rules to supplement this Act and revisions and amendments thereof.

(b) To act in an advisory capacity to the governing body of the county on problems concerning personnel administration.

(c) As provided by this Act, and by rule, to hear and decide appeals submitted by any person in the classified service as set out in Section 10.

(d) In any investigation or hearing conducted by the board, it shall have the power to examine witnesses under oath and compel their attendance or the production of evidence before it by subpoenas issued in the name of the county. Each member of the board shall have the power to administer oaths to witnesses.

(e) To hold hearing on and adopt or revise the position classification plan. The board shall adopt a position classification plan and class specifications and revisions thereof, allocate and reallocate positions in the classified service to classes.

(f) To establish, after consultation with the governing body of the county and the elective officials of the county, coming within the provisions of this Act, a pay plan for all employees in the classified service. Such pay plan shall include, for each class of positions, a minimum and a maximum rate or rates as may otherwise in specific circumstances be fixed by law and such intermediate rates as may be deemed necessary or advisable by the personnel board; provided, however, that in the establishing of said pay plan for employees in the classified service and in the fixing of said minimum and maximum rates the board may not reduce the salary or wage of any employee in the classified service below that which is being earned by said employee at the time of the enactment of this bill into law unless said reduction is an economy measure or is part of a general curtailment program as specified in Section 10 (c) of this Act.

Section 3. The personnel board shall appoint a personnel director whose duty it shall be to act in the capacity of director for the personnel system. The personnel director may be dismissed only for just cause by the personnel board and said dismissal shall be effected by the filing with the said personnel director of written statement specifying the reasons for such dismissal. The personnel director shall act as secretary at board meetings, and shall be the board's executive officer, but shall not have a vote in determining the board's policy. He shall perform such duties as are assigned to him by the board. The compensation of the director shall be fixed by the personnel board. The director shall:

(a) Attend all meetings of the personnel board.

(b) Administer all provisions of this Act and the rules established hereunder, not specifically reserved to the personnel board.

(c) Under the direction of the board, prepare rules and revisions and amendments thereof for the consideration of the board.

Section 4. The provisions of this Act shall apply to the following officers and employees in the service of the county:

- (a) All employees of the county tax assessor;
- (b) All employees of the county tax collector;
- (c) All employees of the county sheriff;
- (d) All employees of the circuit court clerk;
- (e) All employees of the circuit court register;
- (f) All employees of the County Court;
- (g) All Assistant District Attorneys and all employees of the circuit district attorney.
- (h) The director of the county license department and all employees of the director;
 - (i) Employees of the board of registrars' office;
 - (j) All employees of the probate judge's office;
 - (k) All employees of the circuit court, excepting and not including circuit court reporters and bailiffs;
 - (l) All probation officers of the circuit court;
 - (m) All other officers and employees in the service of the county except:
 - (i) Elective officers;
 - (ii) Members of appointive boards, commissions and committees;
 - (iii) All employees or appointees of the county board of education, or persons engaged in the profession of teaching or in supervising teaching in the public schools;
 - (iv) Attorneys, physicians, surgeons, and dentists who with the express or implied permission of any appointing authority or of the county, hold themselves out for employment by others in the same or a like line of work as that performed by them for such appointing authority;
 - (v) The personnel director provided for by this Act;
 - (vi) Persons in the "classified service" within the meaning of and subject to the State of Alabama merit system under any present or future law, and so long as any such law remains effective;
 - (vii) The register of the circuit court.

Offices, positions and employments specifically designated above as coming within the scope of this Act, and other offices, positions and employments not exempted above, shall constitute the classified service of the county. It is intended hereby to include within the classified service offices, positions and employments now existing, or as they may hereafter exist, in whole

or in part from funds of any such county, or the holders of which receive their compensation from any elected official and perform duties pertaining to the office of such elected official or officer except those hereinabove exempted in this Section. It shall be made mandatory, upon the enactment of this bill into law, that all employees hereinbefore designated as included within the "classified service" of the county shall be so included.

Section 5. Any provisions of this Act to the contrary notwithstanding, no person shall be employed or dismissed from a position as court reporter or bailiff of any court in the county except by the consent of the judge under whose supervision such person is to work or does work as a court reporter or bailiff.

Section 6. In addition to such other matters as may be necessary and proper to carry out the intent and purposes of this Act, rules shall be formulated and adopted by the personnel board, establishing specific procedures to govern the following phases of the personnel program:

- (a) The preparation, installation, revision and maintenance of a position classification plan covering all positions in the classified service;
- (b) The formulation of minimum standards and qualifications for each class of position;
- (c) The evaluation of employees during the probationary period;
- (d) The separation from the service of employees through layoff, suspension, dismissal, and for incapacity to perform required duties;
- (e) The maintenance and use of necessary records and forms.

Section 7. During the period of suspension of any employee, or pending final action on proceedings to review the suspension, demotion or dismissal of an employee, the vacancy may be filled by the appointing power only by temporary appointment.

Section 8. All original and promotional appointments shall be for a probationary period of six months during which the employee may be rejected by the appointing authorities at any time without right of appeal or hearing in any manner.

Section 9. (a) Any persons holding a position or employment included in the classified service who, on the effective date of this Act, shall have served continuously in such positions or in some other position included in the classified service for a period of at least six months immediately prior to such effective date, shall assume regular status in the classified service in the position held on such effective date without preliminary examination or working tests and shall thereafter be subject in all respects to the provisions of this Act.

(b) Any other persons holding positions or employments in the classified service, shall be subject to suspension without pay by the appointing power and without right of appeal, but such suspension shall not exceed a total of thirty days in any fiscal year.

Section 10. (a) No employee in the classified service may be demoted, dismissed or reduced in pay without just cause.

(b) Any employee in the classified service who has been demoted, dismissed or reduced in pay, shall be entitled to receive a written statement of the reasons for such action from the appointing authority within three working days, and he shall have three working days time thereafter within which to file an answer in writing thereto. A copy of such charges and answer shall be filed with the personnel director. In the event the employee files an answer, a copy of the written charges and of such answer shall be transmitted by the personnel director to the personnel board. Within ten working days from the date of the filing of his answer to the written charges, or in the event such written charges have not been made available to him within the time prescribed, then within ten working days after the action taken to demote, dismiss or reduce the pay of the employee, he may file a written demand with the personnel director, requesting a hearing before the personnel board. The board shall then investigate the case and conduct a hearing as provided by this Act and by the rules. Hearings shall be informally conducted and the rules of evidence need not apply.

(c) The provisions of this section shall not apply to reductions in pay which are part of a general plan to reduce salaries and wages as an economy measure or as part of a general curtailment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1973. To repeal Act No. 1391, H. 2306, Regular Session 1971 (Acts 1971, p. 2571), entitled "An Act Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1974. To repeal Act No. 1329, H. 2117, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000 according to the 1960 or any subsequent federal decennial census."

Local Legislation No. 4.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1975. To repeal Act No. 1478, S. 1015, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Hale, Grainger and King (With Notice and Proof):

H. 1976. Relating to Madison County; providing further for the compensation of election officials.

Local Legislation No. 4.

Notice and Proof H. 1976:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing further for the compensation of election officials.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the officers appointed to hold elections, upon proper proof of services rendered, shall each be entitled to four dollars (\$4.00) a day in addition to all other compensation provided for by law. In case of a municipal election or primary, the additional compensation shall be paid by the city or town holding the election or primary; in all other cases the additional compensation shall be paid by the county and no part thereof shall be paid or refunded by the state.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

REGULAR SESSION
28th Day

2873

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, 10, 17, and 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hale, Grainger, Hearn and King:

H. 1977. To repeal Act No. 895, H. B. 1593, Regular Session 1971, (Acts 1971, p. 1659), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any such municipalities."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1978. To repeal Act No. 1305, H. B. 2093, Regular Session 1971, (Acts 1971, p. 2350), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Local Legislation No. 4.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1979. To repeal Act No. 238, H. B. 581, Regular Session 1961, (Acts 1961, V. 1, p. 268), entitled, "An Act To provide that the judges of probate of all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien,

(3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1980. To repeal Act No. 1326, H. 2114, Regular Session 1971, (Act 1971, p. 2275), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Local Legislation No. 4.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1981. To repeal Act No. 191, S. B. 1018, Regular Session 1971 (Acts 1971, p. 3091), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale (With Notice and Proof):

H. 1982. Relating to Madison County; providing for the collection of a filing fee on instruments, documents and papers filed for records in the Probate Judge's office; and further providing that the county governing body may impose an additional filing fee for the filing and recording of the enumerated instruments.

Local Legislation No. 4.

Notice and Proof H. 1982:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing for the collection of a filing fee on instruments, documents and papers filed for records in the Probate Judge's office; and further providing that the county governing body may impose an additional filing fee for the filing and recording of the enumerated instruments.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the Probate Judge shall charge a fee of One Dollar (\$1.00) for filing for record or for recording each and every instrument, paper, writing, document, or decree in his office, including but not limited to, each financing statement, deed, contract, mortgage of real or personal property, mechanic's lien, lis pendens, certificate of judgment, lease, assignment, bill of sale, restriction, deed of trust, affidavit, marriage license, official bond, bond of personal representative such as executor or administrator, decree on lunacy inquisition, decree appointing guardians of minors or persons of unsound mind, decree appointing a guardian ad litem in any proceeding in the Probate Court, capias and certificate or charter to a private corporation.

Section 2. In addition to the fee to be collected by the Probate Judge as set forth in the preceding section of this Act, the County Commission, Board of Revenue, or like governing body of the county may impose an additional fee not to exceed Two Dollars (\$2.00) for filing for record or for recording every contract, deed, real estate mortgage, plat, marriage license, official bond, bond or personal representative such as executor or administrator, decree appointing guardians of minors or persons of unsound mind, or character to a private corporation. Under no circumstances may the total fee imposed hereunder exceed Three Dollars (\$3.00).

Section 3. By the tenth (10th) of the month following collection all funds so collected shall be paid by the Probate Judge into the treasury of Madison County and kept in a fund to be designated the Mental Health Fund. Expenditures from said fund shall be for the benefit and furtherance of the mental health program in the county. The chairman of the County Commission, or like official, shall have the power to act for the county commission, board of revenue, or like governing body of the county in the withdrawal and payment of monies from the Mental Health Fund.

Section 4. This Act is cumulative. Nothing herein contained shall alter or change any existing law relating to charges and fees to be collected by the Probate Judge of Madison County.

Section 5. The provisions of this Act are severable. If any section or provision of this Act is declared to be unconstitutional or invalid such declaration will not affect the constitutionality or validity of the remaining portion of this Act.

Section 6. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks with-

out cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1983. To repeal Act No. 897, H. B. 1595, Regular Session 1971 (Acts 1971, p. 1661), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1984. To repeal Act No. 43, H. 72, Second Special Session 1971, (Acts 1971, p. 4180), entitled, "An Act To provide that the city board of education in all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education."

Local Legislation No. 4.

By Messrs. Lutz, Hale, Grainger, King and Hearn (With Notice and Proof):

H. 1985. Relating to the City of Huntsville; providing that the city board of education shall adopt written policies with regard to education; providing the manner in which such policies shall be adopted; providing that such written policies shall be made available to all teachers employed by the board; and providing that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Local Legislation No. 4.

Notice and Proof H. 1985:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Huntsville; providing that the city board of education shall adopt written policies with regard to education; providing the

manner in which such policies shall be adopted; providing that such written policies shall be made available to all teachers employed by the board; and providing that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Be It Enacted by the Legislature of Alabama:

Section 1. In the City of Huntsville the city board of education, shall upon the written recommendation of the city superintendent of education, determine and establish a written educational policy for the city and shall prescribe rules and regulations for the conduct and management of schools. Before making his written recommendations to the city board, the city superintendent shall consult with his professional assistants, principals, teachers, and the professional organization representing the majority of the certified employees.

The city board must, on or before October 1, 1973, establish such policies and adopt such rules and regulations and file them with the city superintendent of education by October 15, 1973. Such written policies, rules and regulations, so established, adopted, or promulgated shall be made available on or before November 15, 1973, to all teachers employed by the city board. Any subsequent amendment to such policies, rules and regulations shall be adopted in the same manner and subject to the same recommendations and shall be filed with the city superintendent and furnished to the teachers employed by the city board within ten days after adoption thereof.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, 10, 17, and 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1986. To repeal Act No. 1883, S. 1014, Regular Session 1971, (Acts 1971, p. 3064), entitled, "An Act To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases."

Local Legislation No. 4.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1987. To repeal Act No. 1448, S. B. 970, Regular Session 1971, (Acts 1971, p. 2471) entitled, "An Act To provide the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Hale, Grainger and King (With Notice and Proof):

H. 1988. Relating to Madison County; providing authority for the Board of County Commissioners to provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Local Legislation No. 4.

Notice and Proof H. 1988:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing authority for the Board of County Commissioners to provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, the Board of County Commissioners may, upon appropriate request, provide assistance in the maintenance, restoration, care, and protection of any ancient cemetery or burial ground, as herein defined, located within the geographical perimeters of such county, and may appropriate funds for that purpose.

As used herein, the term "ancient cemetery or burial ground" means any land or structure located in Madison County dedicated to and used for the interment of human remains, and which at the time Madison County assists in

REGULAR SESSION
28th Day

2879

the maintenance, restoration, care and protection thereof has two or more graves therein which are at least one hundred years old.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1989. To repeal Act No. 1334, H. 2123, Regular Session 1971 (Acts 1971, p. 2283), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1990. To repeal Act No. 1474, S. 1010, Regular Session 1971 (Acts 1971, p. 2514), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability,

civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Local Legislation No. 4.

By Messrs. Grainger, Lutz, Hale, Hearn and King (With Notice and Proof):

H. 1991. Relating to Madison County; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Local Legislation No. 4.

Notice and Proof H. 1991:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, Alabama all hospitals, clinics, canitariums, doctors, physicians, surgeons, nurses, school teachers, pharmacists, social workers, or any other person called upon to render aid or medical assistance to any child under 16 years of age, when such child appears to be suffering from starvation or sexual abuse or attempted abuse or is suffering from or has sustained any wound or injury which appears to be unusual or of such a nature so as to indicate or raise a suspicion, that such wound or injury was caused by physical abuse, child brutality, child abuse, or neglect, such hospital, clinic, sanitarium, doctor, physician, surgeon, nurse, school teacher, pharmacist, social worker, or such other person called upon to render aid or medical assistance to said child under the age of 16 years of age, shall be required to report the same by telephone immediately, followed by a written report to the district attorney of Madison County and in addition to the chief of police of the city or to the Sheriff of Madison County if the observation is made in an unincorporated territory, or to the department of pensions and security; provided, however, that a child who is being furnished Christian Science treatment by a duly accredited Christian Science Practitioner shall not be considered a physically neglected child for the purpose of this section.

REGULAR SESSION
28th Day

2881

When a report is made to a law enforcement official, such official subsequently shall inform the department of pensions and security of the report so the department can carry out its responsibility to provide protective services to the respective child.

Section 2. These reports shall state, if known, the name of the child, his whereabouts, the names and addresses of the parents, guardian, or caretaker, the character and extent of his injuries. The written report shall also contain, if known, any evidence of previous injuries to said child and any other pertinent information which might establish the cause of such injury or injuries, and the identity of the person or persons responsible for the same.

Section 3. Any person, firm or corporation participating in the making of a report pursuant to this act or participating in a judicial proceeding resulting therefrom shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed.

Section 4. The doctrine of privileged communication shall not be a ground for excluding any evidence regarding a child's injuries or the cause thereof, in any judicial proceeding resulting from a report pursuant to this act.

Section 5. Any person who shall knowingly fail to make the report required by this act shall be guilty of a misdemeanor and shall be punished by a sentence of not more than 6 months or a fine of not more than \$500.00.

Section 6. The provisions of this act are severable. If any part or parts of the act shall be declared unconstitutional or void, such declaration shall not affect the remainder of this act.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, Hearn, Hale, King and Grainger:

H. 1992. To repeal Act No. 2188, H. B. 2767, Regular Session 1971, (Acts 1971, p. 3502), entitled, "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

Local Legislation No. 4.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1993. To repeal Act No. 2283, S. B. 1221, Regular Session 1971, (Acts 1971, p. 3684), entitled "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale (With Notice and Proof):

H. 1994. Relating to Madison County; providing that the Judge of Probate shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of the county.

Local Legislation No. 4.

Notice and Proof H. 1994:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing that the Judge of Probate shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens compensation benefits for all employees of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the Judge of Probate shall charge and collect fees for the following services as hereinafter provided:

- (a) Issuing commissions to Notaries Public—\$10.00;
- (b) Issuing and recording marriage licenses together with consent to the marriage and certificate of its celebration and taking and recording bond—\$5.00;

- (c) Celebrating rites of matrimony—\$5.00;
- (d) Services rendered in legitimatizing children under the provisions of the Code of Alabama—\$10.00;
- (e) Services rendered in adopting children under the provisions of the Code of Alabama—\$25.00;
- (f) Granting Letters Testamentary or of Administration—\$5.00;
- (g) Granting Letters of guardianship for each minor—\$5.00;
- (h) Examining, stating and passing the accounts of executors, administrators and guardians for final or partial settlement and appointing a day for hearing—\$5.00;
- (i) For redemption of land from tax sales where land has been sold to one other than the State of Alabama—\$20.00;
- (j) For services rendered in changing a name—\$10.00.

Section 2. All sums collected under the provisions of this Act shall be used to provide workmens compensation benefits for employees of the county. The County Commissioners or other like governing body of the county are authorized to use such funds for the procurement of workmens compensation insurance for the county employees. Any sums received under the provisions of this Act in excess of what is required to provide such workmens compensation benefits and insurance shall be paid over into the general fund of the county at the end of each calendar year.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1995. To repeal Act No. 145, H. 131, First Special Session 1971 (Acts 1971, p. 231), entitled, "An Act To provide for the election of a seven member City Board of Education for any city having a population of not less than 135,000 nor more than 180,000 according to the most recent federal decennial census; and to provide for the terms of its members."

Local Legislation No. 4.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1996. To repeal Act No. 2192, H. B. 2771, Regular Session 1971, (Acts 1971, p. 3507), entitled, "An Act To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act."

Local Legislation No. 4.

By Messrs. Lutz, Hale, Grainger, King and Hearn (With Notice and Proof):

H. 1997. Relating to Madison County; providing an expense allowance for the Judge of the County Court and providing for an effective date for the operation of this Act.

Local Legislation No. 4.

Notice and Proof H. 1997:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing an expense allowance for the Judge of the County Court and providing for an effective date for the operation of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the Judges of the County Court shall be entitled to receive an allowance for expenses in the amount of \$3,000.00 per annum, which expense allowance shall be payable in equal monthly installments at the end of each month from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, 10, 17, and 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1998. To repeal Act No. 233, H. B. 254, Third Special Session 1971, (Acts 1971, p. 4503), entitled, "An Act To apply only in counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale (With Notice and Proof):

H. 1999. Relating to Madison County; fixing and providing for a uniform and clothing allowance for deputies and members of the Sheriff's force.

Local Legislation No. 4.

Notice and Proof H. 1999:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; fixing and providing for a uniform and clothing allowance for deputies and members of the Sheriff's force.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, the County Commission, Board of Revenue or like governing body shall have the authority, at its discretion, to

appropriate and pay to the Sheriff of the county an annual amount not to exceed \$200.00 per deputy sheriff or other member of the Sheriff's force, provided such deputy or other member of the Sheriff's force is regularly employed on a full time basis by the Sheriff of the county.

Section 2. The appropriation, when so paid to such sheriff, shall be used exclusively by the sheriff for clothing, apparel and uniform of the deputy sheriffs and other members of the sheriff's force who are employed by the Sheriff on a full time basis.

Section 3. All similar or like appropriations paid and expended by such counties prior to the passage of this act are hereby validated.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of law in conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2000. To repeal Act No. 1387, H. 2302, Regular Session 1971 (Acts 1971, p. 2330), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2001. To repeal Act No. 1491, S. 1087, Regular Session 1971, (Acts 1971, p. 2569), entitled "An Act To confer upon the district attorney

REGULAR SESSION
28th Day

2887

and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2002. To repeal Act No. 1912, S. 1091, Regular Session 1971 (Acts 1971, p. 3102), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Local Legislation No. 4.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2003. To repeal Act No. 2225, H. 2689, Regular Session 1971 (Acts 1971, p. 3579), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Local Legislation No. 4.

By Messrs. Lutz, King, Hearn, Hale and Grainger (With Notice and Proof):

H. 2004. Relating to Madison County; regulating the costs and fees in the county courts.

Local Legislation No. 4.

Notice and Proof H. 2004:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; regulating the costs and fees in the county courts.

Be It Enacted by the Legislature of Alabama:

Section 1. In the county courts of Madison County a fee of Two Dollars shall be charged by the clerk of the court for docketing each case, civil and criminal, which fee shall be collected for the county and shall be paid monthly by the clerk to the county treasurer or other proper custodian of county funds. Such fee shall be in lieu of any other like docketing fee heretofore provided for by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2005. To repeal Act No. 1390, H. B. 2305, Regular Session 1971 (Acts 1971, p. 2559), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Local Legislation No. 4.

By Messrs. Lutz, King, Hale, Hearn and Grainger:

H. 2006. To repeal Act No. 1489, S. B. 1084, Regular Session 1971 (Acts 1971, p. 2341), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Local Legislation No. 4.

By Messrs. Lutz, Hale, Grainger, King and Hearn (With Notice and Proof):

H. 2007. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

Local Legislation No. 4.

Notice and Proof H. 2007:

STATE OF ALABAMA COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be intro-

REGULAR SESSION
28th Day

2889

duced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County each member of the county board of registrars shall receive fifteen dollars (\$15.00) per day for each day's attendance upon the sessions of the board. Of this, ten dollars (\$10.00) per day shall be paid by the state as prescribed by Act No. 531, S. B. 101, Regular Session 1947 (General Acts 1947, p. 388), as amended, and the remaining five dollars (\$5.00) shall be paid from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part with remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, King, Grainger, Hearn and Hale:

H. 2008. To repeal Act No. 1332, H. B. 2120, Regular Session 1971 (Acts 1971, p. 2281), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and pro-

viding for clerical assistants to be furnished to the board by county and city government."

Local Legislation No. 4.

By Messrs. Lutz, King, Grainger, Hale and Hearn:

H. 2009. To repeal Act No. 1475, S. B. 1011, Regular Session 1971 (Acts 1971, p. 2516), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, Grainger, Hale and King (With Notice and Proof):

H. 2010. Relating to Madison County; pertaining to the registration of voters; providing for meeting days of the board of registrars; and providing for clerical assistants to be furnished to the board by county and city government.

Local Legislation No. 4.

Notice and Proof H. 2010:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; pertaining to the registration of voters; providing for meeting days of the board of registrars; and providing for clerical assistants to be furnished to the board by county and city government.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of registrars of Madison County shall meet at the county courthouse for the purpose of registering voters on the first Monday in each month, and may also meet an additional one hundred and fifty (150) days in each calendar year any place in the county that it may select.

Section 2. At any meeting of the board applications for registration shall be taken from persons residing anywhere in the county. The court of county commissioners, board of revenue, or like governing body of Madison County, or the governing body of any city in Madison County, may, in its discretion, employ clerical assistants for the board, fix their compensation, and provide for the payment thereof from the general fund of the county or city.

The board shall meet for the purpose of purging the lists of registered voters and holding hearings thereon at the times now prescribed by law. In

addition, the board may purge names from the lists of registered voters at any time the board is in session provided a hearing is held in case the person whose name is proposed to be stricken from the registration lists has become a non-resident of the county or has been convicted of any offense mentioned in Section 182 of the Constitution, and written notice of the hearing and the date thereof is given by the board to such person by first class mail at his last known address at least thirty days before any election and a copy of such notice is forwarded to the sheriff of the county for personal service upon such persons within at least five days after receipt thereof by him, which service must be returned by the sheriff within ten days after receipt thereof by him.

Section 3. The provisions of this Act are cumulative and shall not be construed to repeal or supersede any laws not inconsistent herewith.

Section 4. All laws and parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, Hearn, Grainger, King and Hale:

H. 2011. To repeal Act No. 1877, H. 2112, Regular Session 1971 (Acts 1971, p. 3056), entitled, "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Local Legislation No. 4.

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 2012. To repeal Act No. 1902, S. 1020, Regular Session 1971, (Acts 1971, p. 3093), entitled "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a popu-

lation of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Local Legislation No. 4.

By Messrs. Lutz, King, Grainger, Hearn and Hale:

H. 2013. To repeal Act No. 1310, H. 2124, Regular Session 1971, (Acts 1971, p. 2258), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

Local Legislation No. 4.

By Messrs. Lutz, Hale, Hearn, Grainger and King:

H. 2014. To repeal Act No. 2490, S. 1016, Regular Session 1971 (Acts 1971, p. 3896), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, Hale, King and Hearn (With Notice and Proof):

H. 2015. Relating to Madison County and the City of Huntsville; further regulating the sale of alcoholic beverages therein.

Local Legislation No. 4.

Notice and Proof H. 2015:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and the City of Huntsville; further regulating the sale of alcoholic beverages therein.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County it is unlawful for any person, firm, corporation or association to sell or offer to sell any spirituous or vinous liquor except at Alabama Alcoholic Beverage Control Board liquor stores, or to sell or to offer to sell within said county any malt or brewed beverages except within the police jurisdiction of an incorporated municipality thereof; provided however, any wholesaler, distributor, jobber or retailer licensed to sell malt or brewed beverages shall also be authorized to sell draft beer provided said draft beer shall not be held for sale or sold in containers exceeding a

maximum capacity of 288 ounces. However, the council or commission of the City of Huntsville may license and regulate the sale of spirituous or vinous liquors and malt or brewed beverages in private clubs within the city limits, and may adopt and enforce such ordinances as may be considered necessary for such purposes. As used in this Act, the term "club" shall have the meaning ascribed to such term in Alabama Code 1940, Title 29, Section 1(f).

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, 11, 18, and 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2016. To repeal Act No. 1701, H. B. 2498, Regular Session 1971 (Acts 1971, p. 2859), entitled "An Act To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure."

Local Legislation No. 4.

By Messrs. Lutz, Hale, Hearn, King and Grainger (With Notice and Proof):

H. 2017. Relating to Madison County; requiring building permits for any structures erected in said county; authorizing and providing means to implement the provisions of said Act; and authorizing funds necessary to implement this procedure.

Local Legislation No. 4.

Notice and Proof H. 2017:

**STATE OF ALABAMA
COUNTY OF MADISON**

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama an application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Madison County; requiring building permits for any structures erected in said county; authorizing and providing means to implement the provisions of said Act; and authorizing funds necessary to implement this procedure.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the county commission, board of revenue, or like governing body is authorized and may require, upon passage of an appropriate resolution by the governing body of Madison County, building permits to be issued by a designated official of said county for any home, building, or other structure erected or built within the county and outside of the boundaries of any municipality located in the county.

Section 2. All homes, buildings or other structures erected or built in Madison County outside of the boundaries of any municipality located in the county shall come within the confines or jurisdiction of the requirements of this Act.

Section 3. The county engineer, or such other county official as may be designated by the county governing body, shall be charged with the duty and responsibility of implementing this Act.

Section 4. Any individual, partnership, association, trust or corporation desiring to erect a home, building or other structure within the area or areas designated hereinabove, shall apply to the county engineer or other person so designated by the county governing body for an application for a building permit prior to erecting any building or other structure within the area or areas designated hereinabove. Upon such application being made, and the proper fee being paid, as hereinafter provided, the county engineer or other person so designated, as herein provided, shall issue a building permit to said person, firm, corporation, business or company.

Section 5. Such application for a building permit shall include a brief and accurate description of the building or structure to be built, to include, but not necessarily limited to, height, dimensions, materials to be used, use and style.

Section 6. The governing body of Madison County shall be authorized to charge a fee, not exceeding \$1.00 per \$1,000 construction costs to issue the permit and this fee shall be required to be paid to the county engineer or other official so designated by the governing body of the county and collected by him prior to the issuance of the building permit and such funds shall be paid by said official to the county governing body and deposited by the governing body into the general fund of said county to defray expenses for the operation of said office.

Section 7. The county governing body shall provide the county engineer or other official charged with the execution of this Act with such clerical assistance, quarters, books, stationery and supplies, furniture, equipment, postage, travel expenses and such other conveniences it may consider necessary and proper for the efficient operation of said office.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19 and 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 8, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hale, Grainger, Hearn and King:

H. 2018. To repeal Act No. 680, H. B. 954, Regular Session 1967, (Acts 1967, v. II, p. 1507), entitled, "An Act To fix the compensation of the judge of the county court in any county having a population of not less than 170,000 nor more than 300,000 according to the last or any succeeding federal census."

Local Legislation No. 4.

By Messrs. Lutz, Grainger, Hearn, King and Hale (With Notice and Proof) :

H. 2019. Relating to Madison County; fixing the compensation of the judge of the county court.

Local Legislation No. 4.

Notice and Proof H. 2019:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be intro-

duced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; fixing the compensation of the judge of the county court.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, the judges of the county court shall receive a salary of \$15,000 per annum, payable monthly out of the county treasury, upon warrants drawn upon the county treasurer or proper custodian of county funds.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of THE HUNTSVILLE TIMES, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, 10, 17, and 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hearn, Grainger, Hale and King:

H. 2020. To repeal Act No. 24, H. 160, First Special Session 1964, (Acts 1964, p. 45), entitled, "An Act To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks."

Local Legislation No. 4.

By Messrs. Lutz, Hearn, King, Grainger and Hale (With Notice and Proof):

H. 2021. Relating to Madison County and any city or town located therein; providing that any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town located in the county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

Local Legislation No. 4.

Notice and Proof H. 2021:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and any city or town located therein; providing that any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town located in the county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County any bank having a combined capital and surplus of one hundred thousand dollars (100,000.00) or more, and having an authorized office or place of business in any city or town located in the county shall have the power to establish, maintain, and operate within the limits of the county additional offices or places of business, provided that such bank, before the establishment of any additional offices or places of business, shall first secure the consent thereto to the Superintendent of Banks of the State of Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly

sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

By Mr. Fite (With Notice and Proof):

H. 2022. Relating to Winston County; authorizing and requiring the Judge of Probate of said county to hold an election for the purpose of annexing certain territory to the city of Haleyville, and prescribing the conduct of such election.

Local Legislation No. 1.

Notice and Proof H. 2022:

A BILL
TO BE ENTITLED
AN ACT

Relating to Winston County; authorizing and requiring the Judge of Probate of said county to hold an election for the purpose of annexing certain territory to the city of Haleyville, and prescribing the conduct of such election.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of Probate of Winston County, shall within thirty days from the effective date of this Act, order an election to be held for the purpose of annexing certain territory as prescribed in Section 2 of this Act to the municipality of Haleyville. The Judge of Probate shall give notice and conduct the election as provided in Code of Alabama 1940, Title 37, Section 135, as amended, except that all qualified voters residing within the corporate limits of Haleyville shall participate in the election, as well as those residing in the territory proposed to be annexed, and the question shall be determined by a majority of the total vote.

Section 2. The election held as provided in Section 1 shall be to include within the corporate limits of the city of Haleyville, in addition to the lands now included, all of the following territory, to wit:

Begin at NW corner of Section 7, T9S, R10W, and thence East along section lines to the NE corner of Section 10, T9S, R10W; thence South along the section lines to the South boundary line of T9S, R10W, this being the SE corner of Section 34, T9S, R10, West; thence continue South along the Section lines to the Southeast corner of Section 15, T10S, R10W; thence West along the section lines to the SW corner of Section 18, T10S, R10W; thence North along the Marion County line to the NW corner of Section 6 T10S,

R10W, thence continue North along said Marion County line to the NW corner of Section 7, T9S, R10W, which is the point of beginning.

Section 3. In accordance with the provisions of Amendment 255 of the Constitution of Alabama 1901, if a majority of the electors voting in the election prescribed in Section 1 and 2 of this Act approve the annexation proposed therein, this Act shall become effective as to such annexation immediately after the certification of the results of such election. If the majority of electors reject the proposed annexation, this Act shall be of no force and effect.

Section 4. The provisions of this Act are cumulative and shall not be construed to repeal or supersede any laws not inconsistent herewith.

Section 5. As to the Judge of Probate of Winston County, this Act shall be effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said County and State, Don Thrasher, who after being duly sworn deposes and says:

My name is Don Thrasher. I am editor and publisher of the Northwest Alabamian, a newspaper of general circulation published in Winston County, Alabama. The copy of publication hereto attached was published in said paper for four (4) consecutive weeks, on the following date: May 10, 17, 24, and 31, 1973.

DON THRASHER,
Publisher.

Sworn and subscribed to before me this 1st day of June, 1973.

MILDRED GREGG,
Notary Public.

By Mr. Hale:

H. 2023. To provide for casting of absentee ballots in primary, general special and municipal elections; to define who is eligible to cast such ballots; to provide for application for, casting, counting and preserving of such ballots; to provide for compensation of officials charged with duties in connection therewith; to prescribe penalties for violation of the article; and to repeal all laws relating to the casting of absentee ballots including Act No. 424, 1949, Regular Session, page 601; Act No. 655, 1959, Regular Session, page 1585; Act No. 77, Extra Session, 1961, page 1954; Act No. 74, Extra Session 1961, page 2134; Act No. 183, First Extra Session, 1964, page 250; Act No. 795, Regular Session, 1965, page 1494; Act No. 54, First Extra Session, 1965, page 72; Act No. 117, Second Extra Session, 1965, page 159; Act No. 176, Extra Session, 1967, page 255, which acts include all those sections now in Article 4A, Title 17, Code of Alabama, 1940, as amended.

Constitution and Elections.

By Mr. Gray (F) (With Notice and Proof) :

H. 2024. To levy county privilege and license taxes in Bullock County, paralleling with like provisions for the county, such state sales and use taxes levied by Act No. 100, second special session 1959 as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto: Providing for the Ascertainment, Collection, Payment, Distribution, and Enforcement of the Act.

Local Legislation No. 1.

Notice and Proof H. 2024:

LEGAL

STATE OF ALABAMA BULLOCK COUNTY

Notice is hereby given that a bill substantially as follows will be introduced into the Legislature of Alabama, and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To levy county privilege and license taxes in Bullock County, paralleling with like provisions for the county, such state sales and use taxes levied by Act No. 100, second special session 1959 as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; Providing for the Ascertainment, Collection, Payment, Distribution, and Enforcement of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby levied in Bullock County, a special privilege or license tax in the amount of one per cent paralleling the state sales and use tax imposed by Act # 100, Special Session 1959, as amended, and acts supplemental thereto and levied by Article II, Chapter 20, Title 51 of the Code of Alabama 1940, as amended, and against all persons, firms and corporations and upon all business activities, as defined by the said state sales and use tax, engaged in business in Bullock County.

Section 2. That the tax hereby levied is under the provisions of amendment #128 to the Constitution of the State of Alabama, to be distributed as set forth in said amendment and for the purposes therein set forth.

Section 3. (a) The county governing body may appoint a tax collector to collect the tax imposed by this Act, and may adopt all rules and regulations necessary for the enforcement and collection of the tax herein levied; provided that the compensation of the tax collector so appointed shall not exceed two per cent of the amount collected, and such charge for collecting this tax shall be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Bullock County for that month.

(b) The county governing body of Bullock County shall promulgate and adopt rule and regulations necessary for the enforcement and collection

of the tax levied herein and if the county governing body so desires, it may contract with the state department of revenue or the commissioner thereof for the state to collect and enforce the tax. If the county governing body enters into a contract with the state department of revenue or he commissioner thereof to collect the tax imposed by this Act, said tax shall be collected at the same time and along with the collection by the department of taxes levied and collected by the State of Alabama under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1949, as amended, and Acts supplemental thereto, and all reports now required to be made to the commissioner of revenue of the State of Alabama, shall on request of the department of revenue, be available for inspection by the chairman of the county governing body of Bullock County or his designated agent, at reasonable times during business hours. The state department of revenue shall prepare and distribute such reports, forms, and other information as may be necessary for the collection of the additional taxes herein imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of tsate sales and use taxes under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article II of Chapter 20 of Title 51 of the Code of Alabama of 1940 as amended, and Acts supplemental thereto. It shall be the duty of the commissioner of revenue to pay into the state treasury all collections of taxes made hereunder, and on or before the fifth day of the following month the commissioner of revenue shall certify to the state comptroller the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Bullock County during the calendar month immediately preceding the making of such certificates to the state treasurer. It shall be the duty of the comptroller to issue this warrant each month payable to the custodian of the general fund in his official capacity in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of Bullock County. The state department of revenue shall charge Bullock County for collecting the special county taxes levied herein the cost of collecting such taxes, such charge, however, not to exceed five percent of the amount collected. Such charge for collecting the special taxes for the county shall be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Bullock County for the month.

Section 4. The taxes imposed by this Act is not in addition to licenses and taxes levied by law under Constitutional Amendment Number One Hundred Twenty Eight (128).

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall bcome effective on the first day of October, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared Earl Phillips, who, being by me first duly

sworn, deposes and says that during the times herein mentioned he was Vice President of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and July 12, all in the year 1973.

EARL PHILLIPS,
Vice President.

Sworn to and subscribed before me July 17, 1973.

NAN RAINER,
Notary Public.

My commission expires: 3/6/77.

By Mr. Gray (F) (With Notice and Proof):

H. 2025. To amend Section 2 of Act # 535, S. 528, regular session, 1965 (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensations of members of the County Commission of Bullock County, so as to provide a mileage allowance for the members of such Commission.

Local Legislation No. 1.

Notice and Proof H. 2025:

LEGAL

STATE OF ALABAMA BULLOCK COUNTY

Notice is hereby given that a bill substantially as follows will be introduced into the Legislature of Alabama, and application for its passage and enactment will be made to wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act #535, S. 528, regular session, 1965 (Acts 1965, v. 1, p. 787), an Act relating to the duties and compensations of members of the County Commission of Bullock County, so as to provide a mileage allowance for the members of such Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of Act #535, S. 528, Regular Session, 1965, (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensations of County Commissioners of Bullock County, Alabama, is amended further to read as follows:

Section 2. That in lieu of the per diem and mileage now authorized and allowed the county commissioners under the provisions of Title 12, Section 28, Code of Alabama, 1940, as amended, for the performance of duties with relation to the public roads and bridges of the county, the members of the County Commission of Bullock County shall be paid the sum of \$300.00 monthly for the performance of such duties with relation to the public roads and bridges of Bullock County, Alabama. In addition, each member of the

REGULAR SESSION

2903

28th Day

County Commission shall be entitled to fifteen cents per mile for each mile traveled on such official business, but the total mileage allowance claimed by or paid to any Commissioner for any calendar month shall not exceed three hundred dollars (\$300.00). Such payments shall be paid from the Gasoline Tax Fund of the county by warrant drawn by the Judge of Probate on order of the County Commission.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF BULLOCK**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Earl Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Vice President of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

EARL PHILLIPS,
Vice President.

Sworn to and subscribed before me July 17, 1973.

NAN RAINER,
Notary Public.

My Commission expires: 3/6/1977.

By Messrs. Wallace, St. John, Waldrop, Benton, Crawford, Stewart and Lyons:

H. 2026. To make an appropriation from the state treasury for the relief of J. W. Hunter.

Ways and Means.

By Messrs. Mims and Warren (With Notice and Proof):

H. 2027. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Local Legislation No. 1.

Notice and Proof H. 2027:

STATE OF ALABAMA
COUNTY OF WILCOX

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Wilcox County is hereby authorized to enter into contract for the purchase, lease or contractual services for providing data processing, computerized services or other modern or updated electronic based systems for bookkeeping, recording, indexing and filing of all documents, instruments and writings that are of record in the office of the probate judge, tax assessor and tax collector of said county. Said commission may provide for the microfilming of all records, documents, files, papers or other writings which are required by law to be recorded in the office of the probate judge, tax assessor or tax collector and for such projective and reading equipment as may be necessary. Such microfilms or prints therefrom when duly authenticated by the said probate judge, tax assessor or tax collector, as the case may be, shall have the same force and effect at law as the original record or of copies thereof when made by any other legally authorized means, and may be offered in like manner, and shall be received in evidence in any court where such original record or copy thereof made by other legally authorized means, could have been received in court.

Section 2. The county commission shall provide for the services, equipment and supplies necessary to implement the provisions of Section 1 of this act by either lease or outright purchase or by contractual services, whichever in the discretion of the county commission is deemed to be in the best interest of the county. The probate judge of said county shall be authorized to select the type of services to be used and to recommend and approve all contracts therefor. Because the specialized nature of such services, all contracts therefor may be made without regard to any applicable statewide or local competitive bid law.

Section 3. All funds necessary and incidental for the implementation of this act shall be paid out of the general fund of Wilcox County.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5 and 12, all in the year 1973.

M. HOLLIS CURL.

Sworn to and subscribed before me July 12, 1973.

GLEND A. CURL,
Notary Public.

By Messrs. Wynot, Carnes and Waldrop (With Notice and Proof):

H. 2028. To provide that the provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), which Act abolishes primary elections in all cities and towns having populations of less than 300,000 in Alabama, shall not apply to Etowah County.

Local Legislation No. 1.

Notice and Proof H. 2028:

A BILL
TO BE ENTITLED
AN ACT

To provide that the provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), which Act abolishes primary elections in all cities and towns having populations of less than 300,000 in Alabama, shall not apply to Etowah County.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), entitled, "An Act To abolish primary elections of political parties in all cities and towns of 300,000 populations or less; and to repeal conflicting laws," shall not apply to Etowah County.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 2, 9, 16, and 23, all in the year 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me August 6, 1973.

LEO DRISKELL,
Notary Public, Alabama State at Large.

My Commission expires May 16, 1976.

By Messrs. Boutwell and McCorquodale:

H. 2029. To further identify creditable years of service under the State Employees' Retirement System.

Ways and Means.

By Mr. Owens (With Notice and Proof):

H. 2030. Relating to Hale County; providing for the election and tenure of the members of the county board of education.

Local Legislation No. 1.

Notice and Proof H. 2030

STATE OF ALABAMA COUNTY OF HALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Hale County; providing for the election and tenure of the members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of education of Hale County shall consist of five members who shall be elected by the qualified electors of the entire county at large. Members of the board from Places 2 and 5 respectively, shall be elected

REGULAR SESSION
28th Day

2907

at the general election to be held in 1974 and every six years thereafter. Members of the board from Places 1 and 3, respectively, shall be elected at the general election to be held in 1976 and every six years thereafter. The member from Place 4 shall be elected at the general election to be held in 1978 and every six years thereafter. All members holding office when this act becomes effective shall continue in office until their respective terms expire and until their successors are elected and have qualified.

Section 2. The Hale County Board of Education, as herein constituted, shall be vested with the same authority, powers and duties as is provided for county boards of education under the general law.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me, Willie L. Arrington, Notary Public in and for said state and county, this the 4th day of August, 1973.

WILLIE L. ARRINGTON,
Notary Public.

By Messrs. Agee and McCorquodale:

H. 2031. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

Local Legislation No. 1.

By Mr. Owens:

H. 2032. To amend Sections 1, 2, 5, 7, 13 and 16 of Act No. 168, H. 270, Special Session 1966, (Acts 1966, p. 190), as amended, which act establishes the Alabama Historical Commission, so as to change the name of said

commission to the Alabama Heritage Commission; to allow said commission to acquire certain real and personal property; to allow said commission to expand its duties by employing a state officer of archaeology; to allow said commission to take the assistant to the director of said commission from the state merit system; to allow the Governor, Lieutenant Governor and the Speaker of the House of Representatives to select persons to serve in their positions on said commission and to increase the number of organizations which are qualified to name members to the Board of Advisors of said commission.

Conservation.

By Messrs. Agee and McCorquodale (With Notice and Proof):

H. 2033. Relating to Choctaw County, Alabama; levying a privilege license or excise tax on certain sellers and distributors of spiritous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Local Legislation No. 1.

Notice and Proof H. 2033:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Choctaw County, Alabama; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) Relating to Choctaw County, Alabama; every person, firm, corporation, copartnership, club or association, other than the State Alcoholic Control Board stores, who sells or distributes spirituous or vinous liquors shall pay a privilege or excise tax of ten percent on the wholesale price of each bottle or other container thereof.

(b) Every person, firm, copartnership, corporation, club, association, agency, distributor, storer, or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) shall pay a privilege license or excise tax upon the sale, use or consumption, distributing, storing or withdrawing from storage in said counties of any malt or brewed beverages as herein defined. Such tax shall be in an amount equal to two cents on each twelve fluid ounces, or fractional part thereof, and one-sixth cent for each ounce in excess of twelve ounces in a container, of malt or brewed beverages sold, used, consumed, distributed, stored or withdrawn from storage in said counties, which tax shall be in addition to any and all other taxes heretofore or hereafter levied on such beverages. Provided, the County Commission of Choctaw County if it deems it advisable, may levy an additional tax not to exceed two cents on each twelve fluid ounces or fractional part thereof and one sixth cent for each ounce in excess of twelve ounces in a container on malt or brewed beverages sold, used, consumed, distributed, stored, or withdrawn from storage. Where the amount of tax levied under the provisions of this Act shall have been paid to the counties or to any municipalities therein by any seller distributor, dealer, storer or user, such payment shall be sufficient the intent being the tax levied by this Act shall be paid but once.

Section 2. The privilege or license tax authorized herein shall be collected by or under the supervision and control of the Probate Judge of Choctaw County who shall be solely responsible for the administration of this Act. Said Probate Judge shall provide rules and regulations and administrative machinery for the enforcement and collection of the tax levied and may provide for devices for affixing stamped impressions on lids and crowns to be used in evidence of payment of the tax and provide proper forms requiring sufficient information and proof to be verified by the oath of any seller distributor, dealer, storer, or other user claiming exemptions from payment of the tax on account of purchasers made from payment of the tax on account of purchases made from others who have paid the tax imposed by this Act. As his compensation for the performance of his duties in administering this act the Probate Judge shall be entitled to two and one-half per cent (2½ %) of all taxes collected under the provisions of this act, Said Probate Judge shall be authorized to employ such additional personnel and inspectors to assist in the administration and enforcement of this Act as it deemed necessary and desirable at a cost not to exceed ten percent of the proceeds of the tax per annum.

Section 3. (a) Each and every seller of spirituous or vinous liquors shall on or before the fifteenth day of the first full calendar month after the effective date of this Act, and on or before the fifteenth day of each calendar month thereafter, file with the Probate Judge, a written statement, sworn to and subscribed by such seller, showing the name and address of such seller, each and every purchase, receipt or procurement of spirituous or vinous liquors made by such seller during the calendar month next preceeding together with the brand or brands of such spirituous or vinous liquors, the quantity of each brand, the wholesale price, the size of the container of each brand, the date or dates on which purchased, together with the quantity of each brand of such spirituous or vinous liquors sold, distributed, or delivered.

(b) Each and every distributor or seller of malt or brewed beverages shall, on or before the 15th day of the first full calendar month after the effective date of this Act, and on or before the 15th day of each calendar month thereafter, file with the Probate Judge a written statement sworn to and

subscribed by such distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the producer, distributor, seller, or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each brand, the size and kind of container of each brand of such malt or brewed beverages, the quantity of each brand, the size and kind of container of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages sold, distributed or delivered to each, the size and kind of containers for each brand of such malt brewed beverages and the date or dates on which sold, distributed or delivered.

(c) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense.

Section 4. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of spirituous or vinous liquors or malt or brewed beverages within the county without first having obtained a permit to do so from the Probate Judge and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made; provided, however, that nothing contained in this section or any other part of this Act, shall authorize any sale, distribution or delivery of spirituous or vinous liquors or of any malt or brewed beverages within said counties, if such sale, distribution or delivery is prohibited by any other law of this State.

Section 5. (a) It shall be the duty of any person subject to the license tax imposed by this Act to keep full and complete records of all purchases, sales, receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have given to the Probate Judge thirty days notice in writing of his intent to destroy or dispose of such records. The Probate Judge or his duly authorized agent is authorized to inspect such record and to make copies of such parts of same as may be deemed advisable or proper. The failure to keep such records or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the Probate Judge or his authorized deputy or agent, auditor or representative, it shall be the duty of any person subject to the license tax imposed by this Act to furnish, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business all books of account invoice, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories, and any other information from which the correct amount of license tax to which such person is subject may be determined including herein the exhibition of bank deposit, books and

bank statements. Any person failing to or refusing to submit such records for such inspection or examination upon lawful demand therefor shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provisions of this Act not keep and have in his possession or control correct and detailed books of account, invoice, papers, reports or memoranda correctly showing the data and information necessary for the determination of the correct amount of the license tax due and the required information as to sales in the several tax recipient areas; or, if, having the same in possession or under control such person fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the Probate Judge to ascertain from such information and data as may reasonably be obtained the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipts of notice and demand for payment, then such failure to pay shall constitute a misdemeanor, and each day of failure to pay shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required in Section 3 or when he buys his decals or other devices from the Probate Judge, if the Probate Judge requires the distributor or seller to buy decals or other devices.

Section 6. (a) It shall be the duty of the Probate Judge to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages in compliance with the provisions of this Act, and to furnish the same to such distributors or sellers as they may be required.

(b) It shall be the duty of the Probate Judge to enforce the provisions of this Act, and to that end they are authorized to enter lawfully any premises of any retailer of spirituous or vinous liquors or of malt or brewed beverages at any time during the hours in which retailer is engaged in the business of selling or serving spirituous or vinous liquors or malt or brewed beverages and to inspect the containers of spirituous or vinous liquors or malt or brewed beverages, in the retailer's possession for the purpose of determining whether or not there be any containers not having affixed the decal or other device contemplated by this Act. It shall be lawful also for any police officer or deputy sheriff to enter lawfully any such retail establishment for the said purpose of inspection and determination of whether or not there be on hand any untaxed malt or brewed beverages or spirituous or vinous liquors.

Section 7. (a) Collection of the tax may be accomplished in this fashion:

The probate judge by requisition to and upon the governing body of Choctaw County, may procure decals or other devices susceptible of being affixed, with measurable permanence, to containers of malt or brewed beverages to be taken from storage, distributed or sold, each of which decals or other devices shall bear in legible characters a notation that evidences the payment of the tax levied by this Act, and may procure such forms and other printed matter and material as may be necessary in the administration of this Act. To reimburse Choctaw County for the cost and expense incurred by it in securing and furnishing the said decals or other devices, and forms and other matter furnished by the county commission. There shall be deducted from the

gross amount of tax collected, at each tax distribution period, the cost and expense incurred by the county in procuring and furnishing the decals or other devices contemplated by this Act and the cost of form or other materials heretofore provided for, and shall pay over the amount so deducted to the county. Decals or other devices may be furnished by the probate judge to each seller or distributor of spirituous or vinous liquors and malt or brewed beverages, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures less a ten percent discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of spirituous or vinous liquors or malt or brewed beverages the appropriate decals or other devices before the same is taken from storage, sold or delivered.

(b) The amount distributed by the probate judge to the several recipients of the proceeds of the tax as provided in this Act, shall be, as to each recipient of the tax, that recipient's proportionate part of the net proceeds of the tax, such net proceeds to be the total amount of taxes collected less the cost of collection and expenses of administration of this Act.

Section 8. After the payment of all costs of collection and enforcement of the tax levied herein, the net proceeds shall be prorated and distributed monthly by the Probate Judge to the county and municipalities therein on the basis of their respective populations according to the most recent Federal Decennial Census or the most recent count by the Bureau of the Census.

The Probate Judge shall determine the distribution formula after each federal decennial census and the net formula shall go into effect on the first day of January of the year next succeeding the year in which the federal government publishes the decennial figures, or on the first day of the second month succeeding the month the most recent count by the Bureau of the Census is filed with the Probate Judge.

Section 9. Any person, firm, or corporation who violates any provision of this Act or the rules and regulations as may be provided by the Probate Judge of Choctaw County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offence.

Section 10. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations set out by the Probate Judge shall pay, in addition to the tax, a penalty of ten percent of the amount of tax, together with interest therein at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 13. The operation of this Act shall be retroactive to July 14, 1973, and all taxes paid pursuant hereto are ratified and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. D. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Choctaw Advocate, Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19(26, August 2, and 9, all in the year 1973.

C. D. BOZEMAN.

Sworn to and subscribed before me August 8, 1973.

NELL F. EZELL,
Notary Public.

By Messrs. Agee and McCorquodale:

H. 2034. Relating to the First Judicial Circuit; designating each county solicitor or assistant district attorney in each county composing the circuit as a deputy district attorney, and providing that all such deputy district attorneys shall be entitled to receive equal shares of any funds appropriated by the state for the compensation of deputy district attorneys.

Local Legislation No. 1.

By Messrs. Agee and McCorquodale:

H. 2035. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

Local Legislation No. 1.

By Messrs. Agee and McCorquodale (With Notice and Proof):

H. 2036. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Local Legislation No. 1.

Notice and Proof H. 2036:

LEGAL

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any foreign medical graduate residing within this state and wishing to practice medicine as a licensed physician in Choctaw County, who has met all other requirements with the exception of the Educational Counsel for Foreign Medical Graduates (ECFMG), now required by the State Board of Medical Examiners, shall have two alternate means by which to obtain a certificate. Such means shall be as follows:

(a) Said graduate may apply for and take the Federation Licensing Examination (FLEX), sponsored by the Federation of State Medical Boards of the United States. Upon making such application to the State Board of Medical Examiners, the said State Board of Medical Examiners must grant the application to said applicant. If the graduate scores a grade consistent with the requirements of the Licensing Board of the Federation of State Medical Boards of the United States, then he must be licensed to practice medicine in this state.

(b) Said graduates may take the test known as the Educational Counsel for Foreign Medical Graduates (ECFMG), and if a passing score is achieved, then he must be allowed to take the Federation Licensing Examination as provided in subsection (a) above.

No rules or regulations promulgated by the State Medical Association or any of its subdivisions shall prevent such foreign graduates from selecting the above stated alternative he deems to be in his best interest.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. D. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Choctaw Advocate Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, 26, August 2, and 9, all in the year 1973.

C. D. BOZEMAN.

REGULAR SESSION
28th Day

2915

Sworn to and subscribed before me August 8, 1973.

NELL F. EZELL,
Notary Public.

By Messrs. Agee and McCorquodale:

H. 2037. Relating to counties having a population of not less than 16,000 nor more than 16,250 inhabitants, according to the most recent federal decennial census; to provide for the election of members of the county commission from specified districts.

Local Legislation No. 1.

By Mr. Casey:

H. 2038. To amend Section 19 of Act No. 2052 of the 1971 Regular Session of the Legislature of Alabama, said Act to provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violations of said Act; to authorize the Superintendent of Banks to administer said Act.

Banking.

By Mr. Casey:

H. 2039. To amend Section 9(a) of Act No. 374 of the 1959 Regular Session of the Legislature of Alabama. Said Act relating to investigation and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of three hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Banking.

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 2040. To provide that any incorporated municipality in Perry County shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

Local Legislation No. 1.

Notice and Proof H. 2040:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that any incorporated municipality in Perry County shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

Be It Enacted by the Legislature of Alabama:

Section 1. Any incorporated municipality in Perry County shall have the authority, over structures, or parts of buildings and structures, party walls and foundations when the same are found by the governing body of the city to be unsafe to the extent of being a public nuisance from any cause.

Section 2. The term "appropriate official" as used in this Act shall mean any official or employee of the municipality designated by the Mayor or other chief executive officer of such municipality as the person to exercise the authority and perform the duties delegated by this Act. Whenever the appropriate official of such city or town shall find that any building, structure, part of building or structure, party wall or foundation situated in any such city or town is unsafe to the extent that it is a public nuisance, such official shall give the person or persons, firm, association or corporation last assessing the property for state taxes and any lien holder of record notice by personally serving upon such person, firm, association or corporation a copy of said notice to remedy the unsafe or dangerous condition of such building or structure, or to demolish the same, within a reasonable time set out in said notice, which time shall be not less than sixty (60) days or suffer such building or structure to be demolished by the municipality and the cost thereof assessed against the property. In the event that such personal service is returned "Not Found" after not less than two attempts, such notice may be given by registered or certified mail. The mailing of such registered mail notice, properly addressed and postage prepaid, shall constitute notice as required herein. Notice of such order, or a copy thereof, prior to the delivery or mailing of the same as required by the immediately preceding sentence, shall also be posted at or within three (3) feet of an entrance to the building or structure, provided that if there is no entrance such notice may be posted at any location upon such building or structure.

Section 3. Within the time specified in such notice, but not more than sixty (60) days from the date such notice is given, any person, firm or corporation having an interest in such building or structure may file a written request for a hearing before the governing body of the municipality, together with his objections to the finding by the said city official that such building or structure is unsafe to the extent of becoming a public nuisance.

The filing of such request shall hold in abeyance any action on the finding of such city official until determination thereon is made by such governing body. Upon holding such hearing, which hearing shall be held not less than ten (10) nor more than sixty (60) days after such request, or in the event no hearing is timely requested, the governing body, after the expiration of sixty (60) days from the date such notice is given, shall determine whether or not such building or structure is unsafe to the extent that it is a public nuisance. Notice of such meeting of the governing body, and that such deter-

mination will be made thereat, shall be published one time in a newspaper of general circulation in such city, not less than ten (10) days prior thereto. In the event that it is determined by such governing body that such building or structure is unsafe to the extent that it is a public nuisance, the governing body shall order such building or structure to be demolished. Such demolition may be accomplished by such city by the use of its own forces, or it may provide by contract for such demolition. Such city shall have authority to sell or otherwise dispose of salvaged materials resulting from such demolition.

Any person aggrieved by the decision of the governing body at such hearing may, within thirty (30) days thereafter, appeal to the Circuit Court upon filing with the clerk of said court notice of said appeal and bond for security of costs in the form and amount to be approved by said Circuit Clerk. Upon filing of said notice of appeal and approval of the bond, the clerk of the court shall serve a copy of said notice of appeal on the clerk of said city or town, or upon any person acting in the capacity of clerk, and said appeal shall be docketed in said court, and shall be a preferred case therein. The clerk of said city shall, upon receiving such notice, file with the clerk of the court a copy of the findings and determination of the governing body in proceedings and trial shall be held without jury upon the determination of the governing body that such building or structure is unsafe to the extent that it is a public nuisance.

Section 4. Upon demolition of such building or structure, the appropriate municipal official shall make report to the governing body of the cost thereof, and such governing body shall adopt a resolution fixing the costs which it finds were reasonably incurred in such demolition and assessing the same against the property; provided, however, the proceeds of any monies received from the sale of salvaged materials from said building or structure shall be used or applied against the cost of said demolition; and provided, further, that any person, firm or corporation having an interest in said property may be heard at such meeting as to any objection he may have to the fixing of such costs or the amounts thereof. The clerk of such city or town shall give not less than fifteen (15) days notice of the meeting at which the fixing of such costs are to be considered by publication in a newspaper of general circulation in such city of a notice that the governing body of such city at such meeting will consider the fixing of such costs thereat. The fixing of said costs by the governing body shall constitute a special assessment against the lot or lots, parcel or parcels of land upon which the building or structure was located, and thus made and confirmed shall constitute a lien on said property for the amount of such assessment. Said lien shall be superior to all other liens on said property except liens for taxes, and shall continue in force until paid. The city clerk of the city shall mail a certified copy of the resolution by registered or certified mail to the person last assessing the property for taxes, and a certified copy of such resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of such resolution shall also be filed in the Office of the Judge of Probate of the county in which such city is situated.

Section 5. The city or town shall have the power to assess the costs authorized herein against any lot or lots, parcel or parcels of land purchased by the State of Alabama at any sale for the nonpayment of taxes, and where any such assessment is made against such lot or lots parcel of parcels of land, a subsequent redemption thereof by any person authorized to redeem, or sale thereof by the State, shall not operate to discharge, or in any manner affect

the lien of such city or town for such assessment, but any redemptioner or purchaser at any sale by the State of any lot or lots, parcel or parcels of land upon which an assessment has been levied, whether prior to or subsequent to a sale to the State for the nonpayment of taxes, shall take the same subject to such assessment.

Section 6. Payment of any such assessment shall be made in the manner and as provided for the payment of municipal improvement assessments in the provisions of Title 37, Section 557, Code of Alabama 1940, as the same has heretofore or may hereafter be amended, and upon the property owner's failure to pay such assessment the officer designated by the city to collect such assessments shall proceed to collect the assessment as provided in the provisions of Title 37, Sections 558-569, Code of Alabama 1940.

Section 7. This Act shall be cumulative in its nature, and in addition to any and all power and authority which any such municipality may have under any other law.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the part that remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

ALBERT STEWART.

Sworn to and subscribed before me August 2, 1973.

ELIZABETH F. STEWART,
Notary Public, Perry Co., Ala.

By Messrs. Carter and Cross:

H. 2041. Relating to counties having a population of not less than 39,500 and not more than 41,750 according to the most recent federal decennial census, providing an expense allowance for certain county officers.

Local Legislation No. 1.

By Messrs. Cross and Carter:

H. 2042. Relating to any counties having a population of not less than 27,000 nor more than 27,900; authorizing the county commission to set an expense allowance for county officials.

Local Legislation No. 1.

By Messrs. Cross and Carter (With Notice and Proof):

H. 2043. Relating to Lawrence County, abolishing the fine and forfeiture fund of Lawrence County and providing that all monies now in the fine and forfeiture fund or hereafter collected for such fund shall be paid into the general fund of such county and that all claims due or to become due from the fine and forfeiture fund shall be paid from the general fund of the county; providing that witness certificates obtained as a state's witness before the grand jury or the circuit court, county court or other inferior court in which a criminal prosecution is pending shall be paid from the general fund on presentation; providing that all monies now held or hereafter collected as witness fees for state's witnesses in the circuit court, county court or other inferior court shall be paid on collection into the general fund of the county.

Local Legislation No. 1.

Notice and Proof H. 2043:

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lawrence County, abolishing the fine and forfeiture fund of Lawrence County and providing that all monies now in the fine and forfeiture fund or hereafter collected for such fund shall be paid into the general fund of such county and that all claims due or to become due from the fine and forfeiture fund shall be paid from the general fund of the county; providing that witness certificates obtained as a state's witness before the grand jury or the circuit court, county court or other inferior court in which a criminal prosecution is pending shall be paid from the general fund on presentation; providing that all monies now held or hereafter collected as witness fees for state's witnesses in the circuit court, county court or other inferior court shall be paid on collection into the general fund of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. All revenues accruing to the fine and forfeiture fund of such county, as prescribed by law, shall hereafter be paid into the general fund of the county and the fine and forfeiture fund of such county is hereby abolished. All monies held in the fine and forfeiture fund as of the effective date of this act, or any other monies held as unclaimed witness fees for witnesses appearing before the grand jury of the county or as state's witnesses in criminal cases in the circuit court, county court or other inferior court, shall be paid by the custodian of such fund into the general fund of the county.

Section 2. All claims now registered against or payable out of the fine and forfeiture fund, as prescribed by law, or which may hereafter become due and payable out of such fund, shall be payable from the general fund of the county.

Section 3. After the passage and approval of this act any person subpoenaed as witness before the grand jury of the county in a criminal case who

procures a certificate of attendance as such witness from the foreman of the grand jury shall receive payment on such certificate immediately upon the presentation of same to the custodian of the funds of the county, such payment to be made from the general fund of the county.

Section 4. Any person appearing as a state's witness in a criminal case in the circuit court, county court or other inferior court who procures a certificate of attendance as such witness from the clerk of the court shall receive payment on such certificate immediately upon the presentation of same to the custodian of the funds of the county, such payment to be made from the general fund of the county.

Section 5. Costs and fees in all criminal cases shall continue to be taxed as now provided by law, provided, however, that any fees hereafter collected for State's witnesses in the circuit court, county court or other inferior court shall be paid by the officer collecting same into the general fund of the county and it shall be the duty of the clerk, or other officer, of any of the courts here concerned, upon the passage and approval of this act, to pay over any money held by such officer for the payment of fees of witnesses before the grand jury of state's witnesses in criminal cases in any of the courts here concerned, to the general fund of the county.

Section 6. All laws or parts of laws, local, special, or general, in conflict with the provisions hereof are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, 26, August 2, and 9, all in the year 1973.

ARTHUR F. SLATON.

Sworn to and subscribed before me August 9, 1973.

LeRUTH G. SLATON,
Notary Public.

By Messrs. McDonald, St. John and Drake:

H. 2044. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials.

Local Legislation No. 1.

By Mr. McMillan:

H. 2045. To allow a person convicted of a felony within the State of Alabama who has been discharged or released from his term of imprisonment to have the records of such conviction sealed unless the court determines to do so would be against the public interest; providing the method of keeping these records confidential; providing certain situations in which the sealed records of the conviction can be divulged providing the type language an employer can ask a prospective employee about his previous convictions and repealing conflicting laws.

Public Welfare.

By Messrs. Turner and Cottingham:

H. 2046. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to authorize such county to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

Local Legislation No. 1.

By Messrs. Turner and Cottingham:

H. 2047. Amending Section 3 of Act No. 729, H. 598, Regular Session 1953 (Acts 1953, p. 985) which provides airport zoning regulations, so as to exclude counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Therrell:

H. 2048. To amend Sections 3, 11, 12 and 18 of Act No. 107, H. 150 Special Session 1956 (Acts 1956, p. 154), as amended, relating to the retirement system for the City of Prichard.

Local Legislation No. 3.

By Messrs. Doss, Bank, Agee, Downing, Stokes, Lutz, King, Hearn, Hale, Grainger, Erdreich, McBride and Falkenburg:

H. 2049. To appropriate funds from the State General Fund for the establishment of high risk perinatal centers at certain cities in this State.

Ways and Means.

By Mr. Crowe:

H. 2050. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Local Legislation No. 1.

By Mr. Barkett (With Notice and Proof):

H. 2051. To alter, rearrange and extend the boundary lines and corporate limits of the city of Ozark in Dale County.

Local Legislation No. 1.

Notice and Proof H. 2051:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the city of Ozark in Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the city of Ozark are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, a track of land more particularly described as follows:

The south half of Section 8; The west half of the SW $\frac{1}{4}$ of Section 9; The North half of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17, all in T5N, R24E in Dale County, Alabama and containing 440 acres, more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for four consecutive weeks, said notice having appeared in the issue of said paper on July 18, 25, August 1, and 8, 1973.

JOSEPH H. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 8th day of August, 1973.

IRENE MATHIS,
Notary Public.

By Mr. Barkett (With Notice and Proof):

H. 2052. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayhatchee in Dale County.

Local Legislation No. 1.

Notice and Proof H. 2052:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayhatchee in Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Clayhatchee are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within such corporate limits of the town, a track of land more particularly described as follows:

The South half of the SE $\frac{1}{4}$ of Section 11, T3N, R23E.

Also, a strip of land 600 feet wide being 300 feet wide on either side of the centerline of the following described roads; beginning at the intersection of the East line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, T3N, R23E and the centerline of that paved road known as the Gritney Road (S.A.C.P. 7390-A) thence West along said centerline of said Gritney Road to the intersection with State Highway No. 85; thence continuing a strip 300 feet wide on either side of the centerline of said Highway 85 in a Southerly direction until meeting the existing city limits being the North line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 15, T3N, R23E. Said 600 foot strip being in and a portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, the NW $\frac{1}{4}$ of Section 2, T3N, R23E; also the East $\frac{1}{2}$ of the NE $\frac{1}{4}$, the SE $\frac{1}{4}$ of Section 3, T3N, R23E; also the West $\frac{1}{2}$ of the NE $\frac{1}{4}$, the East $\frac{1}{2}$ of the NW $\frac{1}{4}$, the West $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 10, T3N, R23E, Dale County, Alabama.

Also, a strip of land 600 feet wide being 300 feet on either side of State Highway No. 84, more particular described as follows: beginning at the present city limits that is the intersection of the East line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, T3N, R23E and said centerline of State Highway 84, thence East and Southeast to the Choctawhatchee River. Said 600 foot strip being in and a portion of NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 13, T3N, R23E and the South half of the SE $\frac{1}{4}$ of Section 12, T3N, R23E and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 18, T3N, R24E, Dale County, Alabama.

Also a strip of land 600 feet wide being 300 feet on either side of the center line of County Road Number 26, being more particularly described as follows: beginning at the present city limits that is the intersection of the North forty line of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 14, T3N, R23E, and the center line of County Road No. 26; thence Southeast to the South forty line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 14, T3N, R23E; thence East to the East forty line of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 14, T3N, R23E; thence North to the

South forty line of the North half of the NE¼, Section 14, T3N, R23E, and the present city limits, said 600.0 foot strip of land being in and a portion of the NW¼ of SW¼, and the South half of the SW¼ and the SE½ and the South half of the NE¼, Section 14, T3N, R23E, Dale County, Alabama.

Section 2. The provisions of this Act relating to the inclusion of that territory hereinabove described within the corporate limits of the town of Clayhatchee in Dale County shall become effective upon the approval of a majority of the qualified electors who reside within such territory, voting in a referendum election to be held on a day designated by the probate judge of Dale County, not less than twenty nor more than forty days from the date of this enactment or upon the waiver of the election and approval as provided by Article 1 of Chapter 5 of Title 37, Section 135 (9), Code of Alabama 1940, as amended. The notice of the election shall be given by the probate judge of Dale County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 1 of Chapter 5 of Title 37, Code of Alabama 1940, as amended, for giving notice of and conducting elections on the question of annexation and extending limits and boundaries in general insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the adoption of Act No. _____ H. _____ of the 1973 Regular Session of the Legislature, which provides for the inclusion of that territory hereinabove described within the corporate limits of the town of Clayhatchee in Dale County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes." If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The town of Clayhatchee shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes" the provisions of this Act shall become effective immediately. If the majority are "No" this Act shall have no further effect.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 18, 25, August 1, and 8, all in the year 1973.

JOSEPH H. ADAMS.

REGULAR SESSION
28th Day

2925

Sworn to and subscribed before me August 8, 1973.

IRENE MATHIS,
Notary Public.

By Mr. Coshatt:

H. 2053. To authorize the governing body of any county having a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census, or the governing body of any municipality within such county to establish within such county or within any municipality within such county ambulance service on a non-profit basis; to authorize such county to unite with any municipality within such county or two or more municipalities within such county, to unite with each other or together with such county, in the establishment of such ambulance service, making such service common for the use of such county or participating municipality or municipalities, and to permit the providing of such service by contract or otherwise; to authorize appropriations of public funds for such service by such county or any municipality within such county; to authorize the charging of fees for such ambulance service; and to exempt such county and any municipality within such county from tort liability while operating ambulances or providing ambulance service as authorized herein.

Local Legislation No. 1.

By Messrs. Chesnut and Porter:

H. 2054. To provide clerical assistance for the Deputy District Attorney in counties having populations of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census; to repeal Act No. 197, H. 214, Special Session 1967 (Acts 1967, p. 243), as amended.

Local Legislation No. 1.

By Messrs. Chesnut and Porter:

H. 2055. To provide an expense allowance for the Deputy District Attorney of counties having a population of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Barron:

H. 2056. To provide for additional costs and fees to be charged by the Judges of Probate, Sheriffs, the Registers in Equity, the Deputy Registers of the Domestic Relations Division of the Circuit Courts and the Clerk of the County Courts, for the filing, recording, issuance and service of legal papers in all counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the last or any subsequent federal census; and providing for the disposition of such additional costs and fees.

Local Legislation No. 4.

By Messrs. Kinsey and Benton:

H. 2057. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, to prohibit the discharge of litter, specifically bottles and cans, sewage

and any other trash or debris into the waters of such counties; to provide for enforcement and penalties for violations of the provisions of this act.

Local Legislation No. 1.

By Messrs. Kinsey and Benton:

H. 2058. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to prohibit during the hours between sundown and sunrise the discharge of a gas gun which produces an explosion to drive off birds or animals doing crop damage within a certain distance of the residence of any other person without that persons written consent; prescribing penalties for the violation of this Act.

Local Legislation No. 1.

By Mr. Parker (With Notice and Proof):

H. 2059. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

Local Legislation No. 1.

Notice and Proof H. 2059:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

Be It Enacted by the Legislature of Alabama:

Section 1. The number of appointed members of the Tuscaloosa City Board of Education is hereby increased from five to seven. The additional two members herein provided shall have the same tenure, appointment, duties, and shall be subject to all provisions for members of municipals boards of education as is provided in Title 52, Sections 151 and 152, Code of Alabama 1949, as amended.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, 20, 27, and August 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 3, 1973.

LaJUNE BURNETT,
Notary Public.

By Messrs. Grainger, King, Hearn, Lutz and Hale (With Notice and Proof):

H. 2060. To authorize and empower the Madison County Commission or other governing body of Madison County, Alabama, to establish a county-wide water and sewage system by the purchase of any existing water and/or sewage authority in the county, or by legally acquiring same through any other method; to authorize the commission of said county, by appropriate resolution, to provide for the issuance of the necessary municipal bonds to pay for the purchase and/or operation of such a county-wide system; to provide for the operation of such systems; to repeal conflicting laws.

Local Legislation No. 4.

Notice and Proof H. 2060:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and empower the Madison County Commission or other governing body of Madison County, Alabama, to establish a county-wide water and sewage system by the purchase of any existing water and/or sewage authority in the county, or by legally acquiring same through any other method; to authorize the commission of said county, by appropriate resolution, to provide for the issuance of the necessary municipal bonds to pay for the purchase and/or operation of such a county-wide system; to provide for the operation of such systems; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Madison County Commission, or other like governing body of Madison County, Alabama, is hereby authorized and empowered to establish a county-wide water and/or sewage system through the purchase, or by otherwise legally taking or assuming control of, any existing water and/or sewage system or authority now existing in the county.

Section 2. The governing body of said county is further authorized and empowered to provide, by appropriate resolution, for the issuance of any and all municipal bonds, or other bonds, by whatever name called, to provide for the purchase and/or operation of such existing water and/or sewage systems or authorities as may be purchased or taken over by the county as hereinabove specified.

Section 3. Said county governing body is further authorized and empowered to employ any and all personnel necessary for the efficient operation of any such county-wide system and is further authorized and empowered to provide any and all equipment, buildings, supplies, of whatever nature, description or type, to effectively implement such a county-wide system as is authorized to be established by this Act.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 21, 28, July 5 and 12, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 12th day of July, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Lutz, Grainger, Hearn, King and Hale (With Notice and Proof):

H. 2061. Pertaining to Madison County, to set standards for judicial officers in said County for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

Local Legislation No. 4.

Notice and Proof H. 2061

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

Pertaining to Madison County, to set standards for judicial officers in said County for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Madison County.

Section 2. Release prior to trial.

(a) Any person in Madison County charged with an offense shall, at his appearance before a magistrate, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the magistrate, unless the magistrate determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the magistrate shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or, if no single condition gives that assurance, any combination of the following conditions:

(1) place the person in the custody of a designated person or organization agreeing to supervise him;

(2) place restrictions on the travel, association, or place of abode of the person during the period of release;

(3) require the execution of an appearance bond in a specified amount and the deposit with the clerk of the court, in cash or other security as directed, or a sum not to exceed 10 per cent of the amount of the bond, 90 per cent of such deposit to be returned upon the performance of the conditions of release;

(4) require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof; or

(5) impose any other condition deemed reasonable necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

(b) In determining which conditions of release will reasonably assure the appearance of a person as required, the magistrate shall, on the basis of available information as presented by the state or its representative, take into account such matters as the nature and circumstances of the offense charged, the weight of the evidence against the person, his family ties, employment, financial resources, character and mental condition, past conduct, length of

residence in the community, record of convictions, and any record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings. The magistrate shall, in making such factual determinations, bear in mind that this Act has two purposes, one of which is to assure the presence of the defendant at trial and the other of which is to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, or pending appeal, when detention serves neither the ends of the justice nor the public interest.

(c) A magistrate authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation, and shall warn such person of the penalties provided in Section 3.

(d) A judicial officer ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release.

(e) If it is determined that custody or detention pursuant to section 1(a) (5) is required, all time spent in custody or detention shall count as part of any sentence to hard labor for the County or confinement in the county jail subsequently received by the person detained as a result of the charge or charges for which he was arrested and detained.

Section 3. Penalties for failure to appear.

(a) Whoever, having been released pursuant to this Act, willfully fails to appear before any court or magistrate as required, shall incur a forfeiture of any security which was given or pledged for his release, and, in addition, shall, (1) if he was released in connection with a charge of felony, be guilty of a misdemeanor and be fined not more than \$5,000 or imprisoned for not more than one year, or both, or (2) if he was released in connection with a charge of misdemeanor, be guilty of a misdemeanor and be fined not more than the maximum provided for such misdemeanor or imprisoned for not less than ninety days and not more than one year, or both.

(b) Failure to appear after notice of the appearance date shall be prima facie evidence that the failure to appear is willful. Whether the person was warned when released of the penalties for failure to appear shall be a factor in determining whether the failure to appear was willful.

(c) This section applies to a defendant even if he has not received actual notice of the appearance date if (1) reasonable efforts to notify the defendant have been made, and (2) the defendant, by his own actions, has frustrated the receipt of actual notice.

Section 4. Sanctions for violation of release conditions.

(a) A person who has been conditionally released pursuant to section 1 and who has violated a condition of release shall be subject to revocation of release and to prosecution for contempt of court.

(b) Proceedings for revocation of release may be initiated on motion of the district attorney. A warrant for the arrest of a person charged with violat-

ing a condition of release may be issued by a magistrate and the person shall be brought before a magistrate in the county. No order of revocation shall be entered unless, after a hearing, the magistrate finds that there is clear and convincing evidence that the person has violated a condition of his release due to inattention, negligence, or by act of will.

(c) Contempt sanctions may be imposed if, upon a hearing and in accordance with procedures applicable to criminal contempt, it is established that the person has intentionally violated a condition of his release. The contempt proceedings shall be expedited and heard by the court without a jury. A person found guilty of contempt for violation of a condition of release shall be imprisoned for not more than six months, or fined not more than \$1,000, or both.

Section 5. Sanctions for committing serious offenses while on release.

(a) A person who has been conditionally released pursuant to section 1 and as to whom there is probable cause to believe he has committed a felony while released shall be subject to revocation of release.

(b) Proceedings for revocation of release may be initiated on motion of the district attorney. No order of revocation shall be entered unless, after a hearing, the magistrate finds by clear and convincing evidence that (1) a State or Federal magistrate, judge, judicial officer, or grand jury has found probable cause to believe that the person has committed a felony and (2) such felony was committed while the person was released on the prior charge.

Section 6. Contempt.

Nothing in this Act shall interfere with or prevent the exercise by any court of Alabama of its power to punish for contempt.

Section 7. Definitions.

As used in sections 1-5 of this Act, the term "magistrate" means, unless otherwise indicated, any circuit judge or equivalent thereof in the Twenty-third Judicial Circuit, any probate judge in Madison County, any county court judge or judge of any other court created in lieu thereof, or city recorder or equivalent thereof in Madison County, any magistrate in Madison County created for the purpose of setting conditions of release prior to trial.

Section 8. The provisions of this Act are severable, and if any part hereof is declared invalid or unconstitutional, such declaration shall not effect the remaining parts thereof.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville

Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 19, 26, August 2 and 6, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 6th day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Downing, Stokes, Callahan, Roberts and Perloff:

H. 2062. Relating to counties having a population of not less than 300,000 and not more than 500,000 according to the last Federal Decennial Census; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such counties.

Local Legislation No. 3.

By Messrs. Culver, Bank, Parker and Robertson:

H. 2063. Relating to counties having populations of not less than 115,000 nor more than 150,000, according to the most recent federal decennial census; fixing the fees for issuance of pistol permits by the sheriff of such counties, and providing for the disposition and use of such fees.

Local Legislation No. 1.

By Messrs. Turner and Cottingham (With Notice and Proof):

H. 2064. To permit the Court of County Commissioners, or any similar or successor governing body of Dallas County to supplement, from County funds, the salary of any Circuit Judge residing in said County and serving the Circuit Court of said County.

Local Legislation No. 1.

Notice and Proof H. 2064:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To permit the Court of County Commissioners or any similar or successor governing body of Dallas County to supplement, for County funds, the salary of any Circuit Judge residing in said County and serving the Circuit Court of said County.

Be It Enacted by the Legislature of Alabama:

REGULAR SESSION
28th Day

2933

SECTION ONE. The Court of County Commissioners of Dallas County, or any similar or successor governing body for said County, is hereby authorized and empowered, but not required, to pay an other, further and additional sum of up to, but not exceeding, **SIX THOUSAND DOLLARS (\$6,000.00)** per annum as a salary supplement to any Circuit Judge who resides in said County and who serves the Circuit Court for said County.

SECTION TWO. All funds permitted to be disbursed hereunder shall be payable solely out of the general fund of Dallas County.

SECTION THREE. Any such funds paid as authorized hereunder shall be disbursed in regular monthly installments, the same as other salaries of the County.

SECTION FOUR. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law; however, no sitting member of the Circuit Court of Dallas County, Alabama, holding such office on the effective date of this act shall receive any funds authorized hereunder except in accordance with the Constitution of Alabama.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned was Business Manager of the **SELMA TIMES-JOURNAL**, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for 4 successive weeks, said notice having appeared in the issues of said paper on July 10, 17, 24, and 31, all in the year 1973.

HENRY H. LLOYD.

Sworn to and subscribed before me 1st. day of August, 1973.

JOSEPHINE K. TIPTON,
Notary Public.

By Messrs. McDonald, St. John and Drake (With Notice and Proof):

H. 2065. To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

Local Legislation No. 1.

Notice and Proof H. 2065:

STATE OF ALABAMA
COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 19 of Act No. 30, S.5, 1963 Regular Session (Acts 1963, p. 404) is hereby amended to read as follows:

"Section 19. (A) All civil cases arising in said court shall be tried by the court without a jury, except the defendant of claimant in any case involving more than \$250.00 and not arising under Chapter 3 of Title 31 of the Code of Alabama and not being a case of unlawful detainer or forceable entry and detainer, may within the time allowed for pleading, file with the clerk a written demand for trial by jury whereupon the clerk shall at once transfer the case to the Circuit Court of Marshall County where it shall be placed upon the jury docket. Provided, however, that there shall accrue in said case costs for docketing it only in the circuit court.

"(B) In all criminal cases the court shall call each case for pleas at least two weeks before it is called for trial. The defendant in each criminal case may demand a trial by jury at any time up to and including the entry of his plea at such call. It shall not be necessary for a defendant to be present at such call if there is filed on his behalf a jury demand prior to the call. Neither shall the defendant's presence at such call be necessary if there is filed on behalf of the defendant at any time before arraignment a plea of not guilty. A defendant may orally request a trial by jury at the time of the call of the case for a plea which such request shall be noted by the trial court upon the bench notes and at all other times the demand for a trial by jury must be in writing. Upon the receipt of a demand for trial by jury as herein provided, the clerk shall at once transfer the case to the Circuit Court of Marshall County where it shall be placed upon the criminal jury docket. Provided, however, such cases so transferred shall accrue court costs for being docketed only in the circuit court.

"(C) Provided, however, the following cases shall not be transferred to the Circuit Court of Marshall County upon a jury demand but shall stand for trial in the County Court of Marshall County and be appealable to the circuit court as provided by the general laws of the State of Alabama:

"(1) Proceedings under Article 3 of Chapter 4 of Title 34 of the Code of Alabama of 1940 as recompiled in 1958 as now or as may hereafter be amended or recodified; and

"(2) Proceedings under Chapter 2A of Title 27 of the Code of Alabama of 1940 as recompiled in 1958 as now or as may hereafter be amended or recodified."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MARSHALL COUNTY

Before me, a Notary Public, in and for said State and County personally appeared the undersigned, Jesse A. Culp who being first duly sworn according to law, deposes and says that he is the publisher of The Sand Mountain Reporter, a newspaper of general circulation, published in Albertville, in Marshall County, Alabama; that the attached notice, which is a part of this affidavit, was published in the issues of said newspaper, dated July 14, 21, 28, and August 4, 1973.

JESSE A. CULP,
Publisher.

Sworn to and subscribed before me this the 6th day of August 1973.

LINDA BROWN,
Notary Public.

By Messrs. Kinsey and Benton:

H. 2066. To make it a misdemeanor to pick wild sea oats on the beaches of counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Callahan:

H. 2067. Requiring immunization of children against or testing for certain diseases designated by the State Board of Health and requiring proof of immunization or testing prior to entry of children into school.

Health.

By Mr. Reed (T):

H. 2068. Applicable to any county having a population of not less than 24,500 nor more than 25,000 according to the last federal decennial census; to provide further for the sale of alcoholic beverages in hotels or motels of such county.

Local Legislation No. 1.

By Mr. Reed (T):

H. 2069. Relating to all counties having populations of not less than 11,500 nor more than 12,500 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Local Legislation No. 1.

By Mr. Reed (T):

H. 2070. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control

Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Local Legislation No. 1.

By Messrs. Manley and Pruitt:

H. 2071. Relating to counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of such counties, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this Act.

Local Legislation No. 1.

By Messrs. Crowe and Naramore:

H. 2072. Applicable to any county having a population of not less than 55,500 nor more than 56,500 according to the last federal decennial census; to provide an additional compensation for the members of the board of registrars of such county.

Local Legislation No. 1.

By Mr. Gray (F):

H. 2073. Applicable to any county having a population of not less than 24,500 nor more than 25,000 according to the last federal decennial census; to provide for a deputy registrar for such county.

Local Legislation No. 1.

By Mr. Gray (F):

H. 2074. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Local Legislation No. 1.

By Messrs. Drake, St. John and McDonald:

H. 2075. To provide for the payment of expense allowances to members of the Board of Registrars, Jury Commission, and Board of equalization of any county having a population of not less than 50,000 nor more than 52,500 according to the last federal decennial census.

Local Legislation No. 1.

By Messrs. Waldrop and Carnes:

H. 2076. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; allowing establishments that presently have on premise licenses from

the Alcoholic Beverage Control Board to sell draft beer without obtaining additional licenses.

Local Legislation No. 1.

By Mr. Barkett (With Notice and Proof):

H. 2077. To change the method of compensating the probate judge of Dale County, placing such officer on a salary basis, providing for the operation of his office on such basis, and providing that the fees, commissions, percentages and allowances provided the probate judge under the general law shall be paid into the county treasury, and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 2077:

LEGAL NOTICE

STATE OF ALABAMA DALE COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To change the method of compensating the probate judge of Dale County, placing such officer on a salary basis, providing for the operation of his office on such basis, and providing that the fees, commissions, percentages and allowances provided the probate judge under the general law shall be paid into the county treasury, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Dale County shall be compensated on a salary basis. His salary shall be \$18,000 per annum payable in equal monthly installments out of the general fund of the county, and shall be in lieu of all fees, commissions, charges heretofore paid to such judge.

Section 2. The fees, commissions, percentages, and allowances provided such probate judge under the general law shall be collected by said judge and be paid by him into the general fund of Dale County. The compensation provided in Section 1 of this act shall be his entire compensation for the performance of his duties as such judge or for the performance of any ex officio duties imposed upon him by law.

Section 3. The governing body of Dale County shall provide the probate judge with such office personnel, clerks, deputies, and such quarters, books, stationery, furniture, equipment and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of his office. Compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal monthly installments out of the general fund of the county.

Section 4. The provisions of this act shall become operative in Dale County only if they are first approved by a majority of the qualified electors of said county who vote thereon in a referendum election. Said referendum shall be on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature at which time the question submitted shall be:

Shall Act No. _____ of the _____ Session of the Legislature (here insert the number of this Act) which provides for the changing of the method of compensating the probate judge of Dale County and providing for the operation of said office be approved?

_____ Yes _____ No

The Court of county commissioners of Dale County shall order and provide for holding the referendum. If a majority of the votes cast at the referendum vote in favor of this act it shall become effective January 1, 1974. If a majority of the votes cast in the referendum are opposed to the provisions of this act, it shall have no further effect.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws and parts of laws in conflict herewith are repealed and Act No. 2036, H. 2615 Regular Session 1971, approved November 20, 1971 is specifically repealed.

STATE OF ALABAMA DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams who by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for four consecutive weeks, said notice having appeared in the issue of said paper on July 18, 25, August 1, and 8, 1973.

JOSEPH H. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 8th day of August, 1973.

IRENE MATHIS,
Notary Public.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 73. Relating to the method of giving notice of the requirement of attendance of jury service in the 15th Judicial Circuit of Alabama.

REGULAR SESSION
28th Day

2939

Also:

H. 74. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to authorize the Board of Registrars to meet five days each week.

Also:

H. 437. To provide for a secretarial assistant for the district attorney of the 26th Judicial Circuit, establishing the compensation for said position and making the provisions of this Act retroactive to July 1, 1972.

Also:

H. 446. Relating to Marion County; to further regulate branch banking in such county.

Also:

H. 455. Relating to Marion County: To provide for an additional expense allowance for each member of the Marion County Commission.

Also:

H. 458. Relating to Marion County; to provide for the monthly salary and expense allowance of the chief deputy sheriff and all additional deputy sheriffs in said county; repealing conflicting legislation.

Also:

H. 459. To make an appropriation from the Marion County treasury for the relief of Olen Gann.

Also:

H. 461. To authorize any bank situated in an incorporated municipality in Marion County, Alabama to establish, operate and maintain branch banks or additional offices or places of business within said incorporated municipality.

Also:

H. 476. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute a waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Also:

H. 462. To authorize any municipality in Marion County to operate a public ambulance service and to use any civil defense ambulance or other civil defense equipment they have in their possession for such public ambulance service purposes.

Also:

H. 522. Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent fed-

eral decennial census, to provide that patient at institutions for the insane and mentally retarded and patients at veterans' hospitals shall have free use of all public fishing lakes and public recreational facilities in such counties.

Also:

H. 555. Relating to Blount County: to provide for the nomination and election of the board of education of the county; specifically providing for the election of the members of such board by the qualified electors of Blount County who reside outside the corporate limits of the city of Oneonta and for the nomination of candidates by the qualified electors of designated districts; dividing that part of Blount County lying outside the corporate limits of the city of Oneonta into districts for the purpose of the nomination and election of such members; prescribing the times of election of such members and their qualifications.

Also:

H. 571. Relating to all counties having a population of not less than 16,600 nor more than 16,950 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retroactive to March 23, 1973.

Also:

H. 573. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150.00 per month.

Also:

H. 583. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

Also:

H. 584. To provide that the Sheriff of Marion County shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners, to make the provisions of this act retroactive to January 18, 1971.

Also:

H. 585. To provide for the appointment of an additional deputy sheriff in Marion County.

Also:

H. 650. To alter and extend the boundaries of the City of Tarrant City, in the County of Jefferson, State of Alabama: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Tarrant City for their approval or rejection of such alteration and extension.

Also:

H. 659. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the

REGULAR SESSION
28th Day

2941

county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances; and providing a retroactive effect therefor.

Also:

H. 670. To permit banks now or hereafter situated in Washington County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

H. 702. To authorize the Clay County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 722. To regulate further the compensation of registrars in Houston County.

Also:

H. 796. To provide a form of municipal government to be known as the Mayor-Council Form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council Form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Also:

H. 818. To validate the attempted incorporation of the inhabitants of any territory lying within a county having a population of 600,000 or more as a municipal corporation, where any portion of said territory, or its perimeter, lies within three miles of an existing city or town, and the Judge of Probate

of said county has made an order that the inhabitants of said territory are incorporated as a town or city; provided however, that this act shall not apply to the incorporation of any municipality heretofore held to be invalid by a court of competent jurisdiction.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 820. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of five (5) Directors for the county transit authority provided for by said Act, to provide for the appointment of one director of such authority by each of the three largest participating municipalities in such county, to provide for the initial terms of office of such Directors, to provide for the termination of the term of office of the directors of any existing authority and the election of new directors for such authority, and to provide for the dissolution of such authority and the disposition of its property.

Also:

H. 822. To amend Sections 1, 6, 7, and 9 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent Federal Census a Pension and Relief Fund for officers and employees of the Library Board of such city and for the widows and dependents of such officers and employees, to provide for a custodian of such fund and to provide for the investment, protection, management and distribution of such fund by a Board of Managers created for such purpose."

Also:

H. 854. To fix the fee and allowance of the sheriffs of all counties having populations of 500,000 or more according to the most recent federal decennial census, for serving summons on witnesses; and repealing conflicting laws.

REGULAR SESSION
28th Day

2943

Also:

H. 810. To provide an additional expense allowance for the judge of the circuit court of the twenty-sixth judicial circuit of Alabama.

Also:

H. 889. Relating to CONCEUH County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 918. Relating to all counties having a population of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census; to provide for the compensation of the county superintendent of education; and providing a retroactive effect therefor.

Also:

H. 921. Relating to Conecuh County, to provide Clerical Assistance for the Tax Assessor such allowance to be payable out of the General Funds of the County.

Also:

H. 922. To provide an additional clerical allowance to the Circuit Clerk of Conecuh County such allowance to be payable out of the General Funds of the County.

Also:

H. 923. To authorize the sheriff of Autauga County to collect and retain the fees and allowance prescribed by law for feeding prisoners, to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 949. To repeal Act No. 65, H. 205, Regular Session 1955 (Acts 1955, p. 298), approved June 21, 1955, entitled, "An Act To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission."

Also:

H. 957. To further amend Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), as amended, which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Also:

H. 980. To further amend Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), as amended, which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

Also:

H. 981. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

Also:

H. 1003. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the judge of intermediate courts in such counties.

Also:

H. 1008. To allow prospective jurors to be excused without the presence of the defendant in criminal cases in the Thirty-seventh Judicial Circuit of Alabama.

Also:

H. 1009. Relating to the method of giving notice of the requirement of attendance of jury service in the Thirty-seventh Judicial Circuit of Alabama.

Also:

H. 1010. To regulate further the excusing of persons from jury service in the Thirty-seventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

H. 1011. To abolish the drawing of special venires in capital cases in the Thirty-seventh Judicial Circuit of Alabama.

Also:

H. 1012. Relating to criminal procedure in the Thirty-seventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

Also:

H. 1013. To apply only in the circuit court of the Thirty-seventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

Also:

H. 1015. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Also:

H. 1029. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; to provide a monthly expense allowance for the bailiff in the county court of such counties; and providing a retroactive effect therefor.

Also:

H. 1030. To amend Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), as amended, which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classed on a population basis, so as to provide further for the compensation of members of such board; and providing a retroactive effect therefor.

Also:

H. 1036. To provide for the transfer of funds from the Public Highway and Traffic Funds to the Gasoline Funds by the governing body of counties having a population of not less than 22,000 and not more than 22,500 according to the most recent federal decennial census.

Also:

H. 1045. Relating to the Eleventh Judicial Circuit, authorizing each circuit judge of said circuit to appoint a secretary and providing compensation.

Also:

H. 1050. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for the members of the county board of registrars.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1051. Relating to counties having a population of not less than 12,700 and not more than 13,100 according to the most recent federal decennial census; to provide for the compensation and certain expenses of the register of the circuit court in any such county, payable from county funds; and providing for certain other duties of such register.

Also:

H. 1052. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for members of the county board of equalization.

Also:

H. 1066. To amend Act No. 833 of the Legislature of Alabama of 1969, by which the retirement system for employees of Montgomery County was established, to improve the benefits provided by said system in certain respects and to provide uniform benefits thereunder for persons hereafter becoming employees of Montgomery County and to extend the provisions regarding the management of the funds of said system to include the funds of the previous pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

Also:

H. 1088. To alter, redefine and reduce the corporate limits of the City of Rainbow City so as to exclude therefrom any and all territory lying within the boundaries of St. Clair County.

Also:

H. 1089. To provide that no municipality whose corporate limits do not lie within or extend into St. Clair County shall have or exercise police jurisdiction or powers in said county.

Also:

H. 1090. To amend Section 11 of Act No. 1043, H. 1901, Regular Session 1971, (Acts 1971, p. 1851), providing for a liquor tax in counties of a certain population, so as to provide that all revenue collected under this act shall be deposited in the county General Fund; to make this amendment retroactive.

Also:

H. 1140. To regulate further the office of circuit solicitor of the First Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Also:

H. 1141. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerks hire allowance for the Probate Judge of such counties.

Also:

H. 1142. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial

Census; to provide an additional clerk-hire allowance for the Circuit Clerk and County Solicitor and to provide for the payment of the same for said officers of such counties.

Also:

H. 1144. Relating to all counties having populations of not less than 16,245 nor more than 16,300 inhabitants, according to the most recent federal decennial census; providing that any person may use on any boat any motor up to six (6) horsepower on any state-owned lake within said counties.

Also:

H. 1180. Relating to Pickens County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

Also:

H. 1197. Relating to Calhoun County; to provide further for the salary of certain officials of said county.

Also:

H. 1199. Relating to Baldwin County; to provide further for the publication of notice before any public street, alley, highway or portion thereof located in Baldwin County can be vacated or abandoned.

Also:

H. 1200. Relating to crimes and offenses; making it a misdemeanor for any person to dump, throw, place or leave garbage, trash, refuse, or other such debris upon any beach, public or private, within Baldwin County; and prescribing penalties for violating the provisions of this Act.

Also:

H. 1201. To promote the maintenance of Baldwin County's natural beauty, by eliminating unsightly and unhealthy litter; to provide for the dissemination in Baldwin County of information pertaining to laws relative to littering and penalties therefor, and of pleas to the public to heed such laws and to help to eliminate litter in such county.

Also:

H. 1209. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

Also:

H. 1210. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to amend Section 5 of Act No. 242, H. 310, Third Special Session 1971, (Acts 1971, p. 4511) forbidding the judge of probate from remitting certain funds to the State Highway Department, so as to provide for the removal of the expiration date of said act.

Also:

H. 1229. To provide for Supernumerary Judges of the County Courts in the various counties of the State of Alabama having a population of more

than 150,000 and less than 180,000 according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Also:

H. 1244. To amend the Title and Sections 7, 11, 14 and 22 of Act No. 780 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, governing airport authorities incorporated in counties having a population of not less than 110,000 nor more than 165,000 according to the last or any subsequent federal decennial census, which sections pertain, respectively, to powers of such authorities, bonds of such authorities, use of proceeds from the sale thereof and other matters so as to clarify and grant powers regarding the issuance of bonds and notes and regarding industrial development and other business projects undertaken by such authorities and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act, as amended, regardless of subsequent changes in the population of the county in which such authority was incorporated.

Also:

H. 1256. To alter and rearrange the boundary lines of the city of Atmore, Alabama, so as to include within the corporate limits of said city all territories now within such corporate limits and also certain other territory in Escambia County, Alabama, contiguous to said city.

Also:

H. 1271. To allow branch banking under described conditions in Marshall County, Alabama.

Also:

H. 1293. To Alter or rearrange the boundary lines of the Town of Flomaton, Escambia County, Alabama, so as to include within the corporate limits of said Flomaton, Alabama all territory now within such corporate limits and also certain other territory contiguous thereto, in Escambia County, Alabama.

Also:

H. 1323. Relating to Butler County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1324. Relating to Butler County; providing the members of the Butler County Commission with an additional per diem expense allowance.

Also:

H. 1327. To provide that the Sumter County Commission may appropriate funds for clerk hire in the office of tax collector and tax assessor.

Also:

H. 1366. Relating to Pickens County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to

REGULAR SESSION
28th Day

2949

provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1368. To alter or rearrange the boundary lines of the Town of Reform, Pickens County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Pickens County, Alabama.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 65. Urging the Federal Power Commission to issue to Alabama Power Company an acceptable license for the proposed Crooked Creek Hydroelectric Project (FPC Project No. 2628).

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1376. To authorize each circuit judge of the Eleventh Judicial Circuit to appoint a bailiff-law assistant or alternatively to appoint two other bailiffs; to provide for the compensation, duties and payment of such bailiffs.

Also:

H. 1386. To further amend Section 1 of Act No. 394, H. 828, Regular Session 1961 (Acts 1961, P. 406), as amended, so as to further provide for deputies and assistants to the sheriff of Lee County.

Also:

H. 1387. To authorize the governing body of any county with populations of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, to provide for the re-registration of electors of such counties; to provide procedures for such re-registration.

Also:

H. 1388. Relating to counties having populations of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census, authorizing the governing bodies of such counties to provide an allowance of not less than \$600.00 nor more than \$700.00 per month for a computer operator serving all county offices in such counties, to be paid from the general funds of such counties.

Also:

H. 1396. To authorize establishment of branch banks in the City of Pell City in St. Clair County.

Also:

H. 1398. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; to repeal conflicting laws; and to give the provisions of this Act retroactive effect.

Also:

H. 1399. To amend Section 9 of Act no. 56, H. 72, 1971 Third Special Session (Acts of 1971, p. 4263), which provides for the reorganization of the governing body of St. Clair County, so as to provide that the associate members of the county commission shall be elected by the qualified electors of the entire county but shall be resident citizens and electors of specified districts.

Also:

H. 1402. To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

Also:

H. 1407. Providing that the rules of procedure pertaining to the Circuit Court shall apply in the Madison County Court; amending Section 9 of Act No. 661 of the 1957 Regular Session.

Also:

H. 1415. To authorize the governing body of all counties having a population of not less than 12,000 nor more than 12,800 according to the last or any subsequent federal decennial census, to provide protection against for-

est fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 1416. Amending Section 1 of Act No. 121, H. 22, Special Session 1971 (Acts 1971, p. 204), fixing the fee for pistol permits in counties having a population of not less than 10,660 nor more than 10,900, so as to provide for the distribution of fees collected by issuance of such permits.

Also:

H. 1417. To provide for the compensation of circuit court bailiffs in all counties having a population of not less than 10,660 nor more than 10,900 according to the last or any subsequent federal decennial census.

Also:

H. 1418. To provide that the county commissions of all counties having populations of not less than 10,660 or no more than 10,900, according to the most recent federal decennial census shall pay all deputy sheriffs employed in the sheriff's department of said counties a salary of not less than the minimum salary paid a state trooper. The chief deputy shall be entitled to a salary of not less than fifty dollars more than a deputy.

Also:

H. 1419. To authorize the sheriff of counties having a population of not less than 10,660 nor more than 10,900 to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Also:

H. 1420. To provide the tax assessor and tax collector of Marengo County an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Also:

H. 1468. To amend Section 1 of Act No. 106, H. 173, 1967, Special Session (Acts of 1967, Vol. 1, Page 138) entitled, "An Act to provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit".

Also:

H. 1469. To amend Section 4 of Act No. 127, H. 66, 1971 Special Session (Acts of 1971, Vol. 1, Page 209) entitled, "An Act to establish in the Eighteenth Judicial Circuit of Alabama, the office of Clerk-Secretary to the Circuit Judge of the said Eighteenth Judicial Circuit, Place Number Two, to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Shelby County, Alabama."

Also:

H. 1470. To amend the title and Section 1 of Act No. 1740, H. 2581, Regular Session 1971 (Acts 1971, p. 2906) so as to further provide for ex-

pense allowances for certain officials in counties having a population of not less than 36,500 nor more than 39,200.

Also:

H. 1471. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county governing body of an expense allowance for the Judge of the Circuit Court; providing a limitation on amounts so paid; and providing further for such payments.

Also:

H. 1472. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing that any Circuit Judge, who maintains his principal office at the courthouse, therein may appoint one additional Bailiff to serve the circuit court; to prescribe the pay for the service of said Bailiff and the manner thereof.

Also:

H. 1473. To abolish the drawing of special venires in capital cases in the Eighteenth Judicial Circuit of Alabama.

Also:

H. 587. To propose an amendment to the Constitution of Alabama creating a special school tax district in Marion County and authorizing the levy and collection of special district property taxes for capital outlay purposes for the Marion County school system within said special district, and providing that such levy and collection shall be subject to a vote of the qualified electors in the district.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Goodwin:

H. J. R. 183. COMMENDING COLBERT COUNTY HIGH SCHOOL ON ITS OUTSTANDING SPORTS RECORD.

WHEREAS, Colbert County High School in Leighton, Alabama has compiled a truly amazing record in all sports events in the past few years; and

REGULAR SESSION
28th Day

2953

WHEREAS, under the leadership for the past 20 years of one of the top high school football coaches in the South, C. T. Manley, the "Indians" have compiled a remarkable record of 137 wins as against 37 losses and 7 ties. Coach Manley has led the team to 3 state championship playoffs in which the team finished 2nd in the state in 1967 and 1971 and in 1972 won the esteemed 3-A state championship; and

WHEREAS, the basketball team also has displayed great talent under the dynamic leadership of Coach Jim Rhodes. The high jumping and swift Indian basketball teams finished 2nd in the state 3-A championship in 1971 and came back to win the championship in 1972. The team record during these two years was 27 wins against 3 losses in 1971 and 33 wins against 1 loss in 1972 for a combined record of 60 wins against 4 losses; and

WHEREAS, the baseball team, not to be outperformed, has participated in 2 of the last 3 state playoffs and in 1973 finished 2nd in the state 3-A championship. This extremely commendable record was accomplished under the able leadership of Coach Bill Jarrett; and

WHEREAS, this type of sports record is to be commended and applauded as the games of sport parallel the game of life with its ups and downs. The extremely talented young men who aided in compiling this outstanding record reflect much honor to their community and state by their hard work and determination to succeed; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends the outstanding record in the field of sports compiled by Colbert County High School and wishes to bestow recognition upon the brilliant coaches and athletes who made this record possible.

BE IT FURTHER RESOLVED, that the legislature wishes Colbert County High School continued success in its athletic endeavors, and that a copy of this resolution be sent to Colbert County High School.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 183, on the Clerk's desk for one legislative day.

RESOLUTIONS

The following resolutions introduced on the twenty-seventh legislative day were ready by title, pursuant to Joint Rule 12:

H. J. R. 180. MOURNING THE DEATH OF JOHN MYRICK ASHLEY, JR.

H. J. R. 181. WISHING MRS. MARTHA J. ADWELL A SPEEDY RECOVERY.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

RESOLUTION

The following resolution was introduced:

By Mr. Lyons:

H. J. R. 184. RECOMMENDING THAT THE LEGISLATURE SEND MRS. RETHA D. WYNOT TO THE 36th ANNUAL CONVEN-

TION OF THE NATIONAL ORDER OF WOMEN LEGISLATORS TO BE HELD IN SALT LAKE CITY, UTAH AND TO REIMBURSE HER FOR HER ORDINARY AND NECESSARY EXPENSES FOR ATTENDING SAID CONVENTION.

WHEREAS, the Alabama State Legislature is privileged to have among its members a woman legislator, the lovely and gracious lady from Gadsden, Mrs. Retha D. Wynot; and

WHEREAS, it is the best interest of the State of Alabama to be officially represented at the 36th Annual Convention of the National Order of Women Legislators which has as its basic purpose the discussion of legislative matters of mutual interest to the various states; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the lovely and gracious lady from Gadsden, Mrs. Retha D. Wynot, be appointed Alabama's official delegate to the 36th Annual Convention of the National Order of Women Legislators to be held September 9-13, 1973 in Salt Lake City, Utah and that she be reimbursed for her ordinary and necessary expenses in attending this important convention from the funds appropriated to the use of the Alabama Legislature upon the certificate of the Clerk of the House.

On motion of Mr. Lyons, the rules were suspended and resolution, H. J. R. 184, was adopted.

BILLS ON THIRD READING

And the bill:

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

Was taken up.

H. 1521 POSTPONED

On motion of Mr. Snell, the bill, H. 1521, was postponed to the twentieth legislative day.

And the bill:

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett

Barron
Bassett
Benton
Boles
Boutwell
Brassell

Burgess
Callahan
Carnes
Carter
Casey
Cauthen

Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford

REGULAR SESSION
28th Day

2955

Cross	Grey (D)	Mathews	Slate
Crowe	Hale	May	Smith (K)
Culver	Harris	Meeks	Smith (P)
Dill	Headley	Merrill	Snell
Doss	Hearn	Mims	Stewart
Downing	Hill	Naramore	Stokes
Drake	Hughes	Nettles	Stubbs
Easters	Jones (F)	O'Daniel	Therrell
Edwards	King	Owens	Turner
Ellis	Kinsey	Parker	Turnham
Erdreich	Lang	Perloff	Waggoner
Falkenburg	Lutz	Porter	Waldrop
Fite	McBride	Pruitt	Wallace
Flipppo	McCluskey	Reed (T)	Warren
Gafford	McCorquodale	Reynolds	Williams
Goodwin	McDonald	Roberts	Wise
Grainger	McMillan	Robertson	Wood
Gray (F)	Manley	St. John	Wynot

—96

And the bill:

S. 259. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

Was taken up.

S. 259 POSTPONED

On motion of Mr. Gafford, the bill, S. 259, was postponed to the twenty-ninth legislative day.

H. 1906 RE-REFERRED

On motion of Mr. Gafford to re-refer, the Speaker re-referred the bill, H. 1906, from the Standing Committee on Local Government to the Standing Committee on Local Legislation No. 2.

BILLS ON THIRD READING RESUMED

And the bill:

H. 892. (With Amendment): To amend Section 3 of Act No. 530, H. 1096, Regular Session 1959 (Acts 1959, p. 1305), so as to further provide for voter reidentification in all counties in the state having a population of 500,000 or more according to the last or any subsequent federal census.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

In the second paragraph of Section 1 of the bill (amended Section 3), strike in its entirety subsection (c) and insert in lieu thereof the following:

"(c) He may reidentify himself at any election at which he votes during 1971 or 1981 (or any tenth year thereafter), by filling out and signing answers to the questionnaire prepared by the Board of Registrars in the pres-

ence of a clerk, manager or returning officer at such election. Such clerk, manager or returning officer shall sign the answers of such voter as an attesting witness. The returning officer shall transmit all such filled in and signed answers to questionnaires to such Board of Registrars. (d) Any voter who has been purged from the list of qualified electors for failure to reidentify may reidentify himself on any election day at the office of the Board of Registrars by appearing in person. He will be given a certificate to take to the polls in order to vote on that day."

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 892 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Callahan	Culver	Goodwin
Adams	Carnes	Dill	Grainger
Adwell	Carter	Doss	Gray (F)
Agee	Casey	Downing	Grey (D)
Bank	Cauthen	Drake	Hale
Barkett	Chesnut	Easters	Harris
Barron	Collins	Edwards	Headley
Bassett	Connell	Ellis	Hearn
Benton	Coshatt	Erdreich	Hill
Boles	Cottingham	Falkenburg	Hughes
Boutwell	Crawford	Fite	Jones (F)
Brassell	Cross	Flippo	King
Burgess	Crowe	Gafford	Kinsey

REGULAR SESSION
28th Day

2957

Lang	Merrill	Reynolds	Therrell
Lutz	Mims	Roberts	Turner
McBride	Naramore	Robertson	Turnham
McCluskey	Nettles	St. John	Waggoner
McCorquodale	O'Daniel	Slate	Waldrop
McDonald	Owens	Smith (K)	Wallace
McMillan	Parker	Smith (P)	Warren
Manley	Perloff	Snell	Williams
Mathews	Porter	Stewart	Wise
May	Pruitt	Stokes	Wood
Meeks	Reed (T)	Stubbs	Wynot

—96

And the bill:

H. 1381. Further providing for the service of process by constables issued by the courts in Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1340. To amend Act No. 798, H. 486 of the Regular Session of 1965, an Act "Regulating costs and charges of courts in Jefferson County; prescribing the fees and commissions of constables, and repealing conflicting laws," so as to provide that constables shall receive the same fees for certain services prescribed for sheriffs performing like services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Falkenburg, Wade and Wallace, unanimous consent was granted for the Journal to show them not voting on the bills, H. 1381 and H. 1340.

And the bill:

H. 1483. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Drake
Adams	Brassell	Coshatt	Easters
Adwell	Burgess	Cottingham	Edwards
Agee	Callahan	Crawford	Ellis
Bank	Carnes	Cross	Erdreich
Barkett	Carter	Crowe	Falkenburg
Barron	Casey	Culver	Fite
Bassett	Cauthen	Dill	Flippo
Benton	Chesnut	Doss	Gafford
Boles	Collins	Downing	Goodwin

REGULAR SESSION
28th Day

2959

Grainger	McBride	Owens	Stewart
Gray (F)	McCluskey	Parker	Stokes
Grey (D)	McCorquodale	Perloff	Stubbs
Hale	McDonald	Porter	Therrell
Harris	McMillan	Pruitt	Turner
Headley	Manley	Reed (T)	Turnham
Hearn	Mathews	Reynolds	Waggoner
Hill	May	Roberts	Waldrop
Hughes	Meeks	Robertson	Wallace
Jones (F)	Merrill	St. John	Warren
King	Mims	Slate	Williams
Kinsey	Namamore	Smith (K)	Wise
Lang	Nettles	Smith (P)	Wood
Lutz	O'Daniel	Snell	Wynot

—96

And the bill:

H. 1592. To amend Act No. 222, H. 189, Third Special Session 1971 (Acts 1971, p. 4490), which act provides additional compensation for members of the Board of Registrars in certain counties based on population, so as to provide further for the compensation of members of such boards.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Namamore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1636. (With Amendment): To further amend Sections 1, 2, 3 and 6 of Act No. 22 of the Second Special Session of the Legislature of Alabama of 1956, approved March 23, 1956 (Alabama Acts, 1956 Special Sessions,

Page 290) as heretofore amended, relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama 1943, approved June 28, 1943 (General Acts Alabama 1943, Page 264) and the predecessors of said Act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend H. B. 1636 by deleting the words, "September 1, 1971" wherever they appear and substitute in lieu thereof the words, "September 1, 1969".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 1636 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Barron	Burgess	Chesnut
Adams	Bassett	Callahan	Collins
Adwell	Benton	Carnes	Connell
Agee	Boles	Carter	Coshatt
Bank	Boutwell	Casey	Cottingham
Barkett	Brassell	Cauthen	Crawford

REGULAR SESSION
28th Day

2961

Cross	Grey (D)	Mathews	Slate
Crowe	Hale	May	Smith (K)
Culver	Harris	Meeks	Smith (P)
Dill	Headley	Merrill	Snell
Doss	Hearn	Mims	Stewart
Downing	Hill	Naramore	Stokes
Drake	Hughes	Nettles	Stubbs
Easters	Jones (F)	O'Daniel	Therrell
Edwards	King	Owens	Turner
Ellis	Kinsey	Parker	Turnham
Erdreich	Lang	Perloff	Waggoner
Falkenburg	Lutz	Porter	Waldrop
Fite	McBride	Pruitt	Wallace
Flippo	McCluskey	Reed (T)	Warren
Gafford	McCorquodale	Reynolds	Williams
Goodwin	McDonald	Roberts	Wise
Grainger	McMillan	Robertson	Wood
Gray (F)	Manley	St. John	Wynot

—96

And the bill:

H. 1659. (With Amendments): Providing further for County Zoning and Planning Commissions in Counties having a population of not less than 600,000 inhabitants according to the most recent federal decennial census.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend H. B. 1659 by adding the words "or otherwise participate" after the word "vote" in line 5 of Section 4 and deleting the word "on" in the same line and section, and placing the word "in" immediately before the words "the matter".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Erdreich	Kinsey
Adams	Chesnut	Falkenburg	Lang
Adwell	Collins	Fite	Lutz
Agee	Connell	Flippo	McBride
Bank	Coshatt	Gafford	McCluskey
Barkett	Cottingham	Goodwin	McCorquodale
Barron	Crawford	Grainger	McDonald
Bassett	Cross	Gray (F)	McMillan
Benton	Crowe	Grey (D)	Manley
Boles	Culver	Hale	Mathews
Boutwell	Dill	Harris	May
Brassell	Doss	Headley	Meeks
Burgess	Downing	Hearn	Merrill
Callahan	Drake	Hill	Mims
Carnes	Easters	Hughes	Naramore
Carter	Edwards	Jones (F)	Nettles
Casey	Ellis	King	O'Daniel

Owens	Roberts	Stewart	Waldrop
Parker	Robertson	Stokes	Wallace
Perloff	St. John	Stubbs	Warren
Porter	Slate	Therrell	Williams
Pruitt	Smith (K)	Turner	Wise
Reed (T)	Smith (P)	Turnham	Wood
Reynolds	Snell	Waggoner	Wynot

—96

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 2 of H. B. 1659 by deleting the number "6" in the second line and substituting in lieu thereof the number "4".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 2 of H. B. 1659 by adding at the end the following:

"Provided, further, that the action of said County Zoning and Planning Commission shall be taken with the advice of the regional planning commission created pursuant to Code of Alabama, Title 37, sections 809-814, in whose jurisdiction said County Zoning and Planning Commission lies."

And the amendment was adopted.

REGULAR SESSION
28th Day

2963

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 1659 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1621. To grant to any Civic Center Authority now or hereafter incorporated in any County having a population of more than 500,000, according to the last or any subsequent Federal census, organized under the provisions of Act No. 547, enacted by the Legislature of Alabama at its 1965 Regular Session and approved August 20, 1965 (Acts of 1965, pp. 797, et seq.) as amended, the power and authority to borrow money, to issue as evidence of its obligation to repay such money, its negotiable promissory notes and to provide the security for such notes and the refunding thereof by the issuance of notes or bonds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1513. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (general Acts of Alabama of 1923, page 663, et seq.), which established a Policeman's Pension System for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Adwell	Bank	Barron
Adams	Agee	Barkett	Bassett

REGULAR SESSION
28th Day

2965

Benton	Drake	Lang	Reynolds
Boles	Easters	Lutz	Roberts
Boutwell	Edwards	McBride	Robertson
Brassell	Ellis	McCluskey	St. John
Burgess	Erdreich	McCorquodale	Slate
Callahan	Falkenburg	McDonald	Smith (K)
Carnes	Fite	McMillan	Smith (P)
Carter	Flippo	Manley	Snell
Casey	Gafford	Mathews	Stewart
Cauthen	Goodwin	May	Stokes
Chesnut	Grainger	Meeks	Stubbs
Collins	Gray (F)	Merrill	Therrell
Connell	Grey (D)	Mims	Turner
Coshatt	Hale	Naramore	Turnham
Cottingham	Harris	Nettles	Waggoner
Crawford	Headley	O'Daniel	Waldrop
Cross	Hearn	Owens	Wallace
Crowe	Hill	Parker	Warren
Culver	Hughes	Perloff	Williams
Dill	Jones (F)	Porter	Wise
Doss	King	Pruitt	Wood
Downing	Kinsey	Reed (T)	Wynot

—96

And the bill:

H. 1615. To apply to all counties having populations of 500,000 or more inhabitants according to the last or any subsequent federal decennial census; to provide and require that in the condemnation of lands for ways and rights of ways for sewer lines and water lines the value of any enhancement to the remaining lands of such owner or owners that such sewer line or water line may cause shall be applied to reduce or off-set the value of any land or right-of-way taken or damages to the remainder for the construction of such sewer line or water line.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Fite	McBride
Adams	Collins	Flippo	McCluskey
Adwell	Connell	Gafford	McCorquodale
Agee	Coshatt	Goodwin	McDonald
Bank	Cottingham	Grainger	McMillan
Barkett	Crawford	Gray (F)	Manley
Barron	Cross	Grey (D)	Mathews
Bassett	Crowe	Hale	May
Benton	Culver	Harris	Meeks
Boles	Dill	Headley	Merrill
Boutwell	Doss	Hearn	Mims
Brassell	Downing	Hill	Naramore
Burgess	Drake	Hughes	Nettles
Callahan	Easters	Jones (F)	O'Daniel
Carnes	Edwards	King	Owens
Carter	Ellis	Kinsey	Parker
Casey	Erdreich	Lang	Perloff
Cauthen	Falkenburg	Lutz	Porter

Pruitt	Slate	Stubbs	Wallace
Reed (T)	Smith (K)	Therrell	Warren
Reynolds	Smith (P)	Turner	Williams
Roberts	Snell	Turnham	Wise
Robertson	Stewart	Waggoner	Wood
St. John	Stokes	Waldrop	Wynot

—96

And the bill:

H. 644. (With Substitute): To amend Act No. 40, S. 4, Second Special Session of 1965 (Acts 1965, p. 328), as amended relating to courts of General Sessions of Mobile.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 40, S. 4, Second Special Session of 1965 (Acts 1956, p. 328) as amended relating to courts of General Sessions of Mobile.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended is further amended to read as follows:

"Section 8. The Court of General Sessions of Mobile County shall have and exercise civil jurisdiction in Mobile County concurrently with the Circuit Court of Mobile County in all civil matters where the amount in controversy does not exceed fifteen hundred dollars and in addition shall have jurisdiction over all civil matters where the amount in controversy is not more than one cent. The court shall also have jurisdiction in matters pertaining to forcible entry and detainer, and unlawful detainer, where the real property lies anywhere within the limits of Mobile County, Alabama. The Court shall not have jurisdiction in equity nor of actions of libel, slander, assault and battery, ejectment and actions in the nature of ejectment. Nothing in this Act shall be construed to give the judges of the Court of General Sessions of Mobile County any authority to grant writs of certiorari, supersedeas, quo warranto, prohibitions of mandamus, injunction or ne exeat."

Section 2. All initial pleadings shall be in as simple a form as possible and shall be liberally construed so as to do substantial justice and all responsive pleadings shall be in short by consent."

Section 3. Should any word, phrase, clause, section or part of this Act be held to be unconstitutional by any court of competent jurisdiction it shall not effect the remainder of this Act.

Section 4. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

REGULAR SESSION
28th Day

2967

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 644 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1748. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Mobile County making a change in the rates and purposes for which may be levied and distributed the special tax authorized by the Amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended, and to supersede the Amendment to the said Constitution known as Amendment CCCI.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 98. (With Amendment): To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, P. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Add at then end of Section 1 thereof the following;

"provided, however, that salaries shall not be less than the following sums for the positions as indicated:

Chief Deputy

\$13,298.00

REGULAR SESSION
28th Day

2969

Chief Clerk	13,298.00
Chief Inspector	11,041.00
Assistant Chief Deputy	11,041.00"

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

Mr. Stokes offered the following amendment to the bill, H. 98 as amended:

Amend H. B. 98 as amended by the committee as follows:

by deleting the words in the committee amendment "less than" and insert in lieu thereof the words "more than".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Drake
Adams	Brassell	Coshatt	Easters
Adwell	Burgess	Cottingham	Edwards
Agee	Callahan	Crawford	Ellis
Bank	Carnes	Cross	Erdreich
Barkett	Carter	Crowe	Falkenburg
Barron	Casey	Culver	Fite
Bassett	Cauthen	Dill	Flippo
Benton	Chesnut	Doss	Gafford
Boles	Collins	Downing	Goodwin

Grainger	McBride	Owens	Stewart
Gray (F)	McCluskey	Parker	Stokes
Grey (D)	McCorquodale	Perloff	Stubbs
Hale	McDonald	Porter	Therrell
Harris	McMillan	Pruitt	Turner
Headley	Manley	Reed (T)	Turnham
Hearn	Mathews	Reynolds	Waggoner
Hill	May	Roberts	Waldrop
Hughes	Meeks	Robertson	Wallace
Jones (F)	Merrill	St. John	Warren
King	Mims	Slate	Williams
Kinsey	Naramore	Smith (K)	Wise
Lang	Nettles	Smith (P)	Wood
Lutz	O'Daniel	Snell	Wynot

—96

And the bill, H. 98 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1678. To authorize and direct the Commissioner of Conservation and Natural Resources for One Dollar (\$1.00) to execute and deliver on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishment of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Was taken up.

Mr. Collins offered the following substitute to the bill:

REGULAR SESSION
28th Day

2971

A BILL
TO BE ENTITLED
AN ACT

To authorize and direct the Commissioner of Conservation and Natural Resources for One Dollar (\$1.00) to execute and deliver on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishment of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Be It Enacted by the Legislature of the State of Alabama.

Section 1. Pursuant to the provisions of Act Number 989, passed in the Regular Session of the 1969 Legislature of Alabama and Amendment Number 289 to the Constitution of Alabama, 1901, the Commissioner of Conservation and Natural Resources with the approval of the Governor is hereby authorized and directed to convey and deliver on behalf of the State of Alabama for one Dollar (\$1.00) and in consideration of the grantee being a state institution, the title in fee simple to the following described real property to the Board of Trustees of the University of South Alabama to wit: Section 16, Township 4, South, Range 2 West, St. Stephens Meridian in Mobile County; and to the Mobile County Board of School Commissioners, the property authorized in Act Number 989 to be conveyed to such Commissioners with the description of the 240 acres in Section 30, Township 6, South, Range 2 West, being corrected to read "The Northeast Quarter and the North half of the Northwest Quarter of Section 30, Township 6, South, Range 2 West." Upon the making of the conveyance of above-stated property by the State of Alabama to the Board of Trustees of the University of South Alabama, the Mobile County Board of School Commissioners are directed to release and relinquish to such trustees all rights to the control, direction and management of said Section 16, Township 4, South, Range 2 West.

Section 2. All laws or parts of laws which conflict with this Act are hereby expressly repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cross	Fite
Adams	Callahan	Crowe	Flippo
Adwell	Carnes	Culver	Gafford
Agee	Carter	Dill	Goodwin
Bank	Casey	Doss	Grainger
Barkett	Cauthen	Downing	Gray (F)
Barron	Chesnut	Drake	Grey (D)
Bassett	Collins	Easters	Hale
Benton	Connell	Edwards	Harris
Boles	Coshatt	Ellis	Headley
Boutwell	Cottingham	Erdreich	Hearn
Brassell	Crawford	Falkenburg	Hill

Hughes	Mathews	Pruitt	Stubbs
Jones (F)	May	Reed (T)	Therrell
King	Meeks	Reynolds	Turner
Kinsey	Merrill	Roberts	Turnham
Lang	Mims	Robertson	Waggoner
Lutz	Naramore	St. John	Waldrop
McBride	Nettles	Slate	Wallace
McCluskey	O'Daniel	Smith (K)	Warren
McCorquodale	Owens	Smith (P)	Williams
McDonald	Parker	Snell	Wise
McMillan	Perloff	Stewart	Wood
Manley	Porter	Stokes	Wynot

—96

And the bill, H. 1678 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1523. (With Amendment): To authorize the County Commission of Mobile County to make appropriations for the support and operation of a nonprofit organization to provide services to and for the benefit of the citizens of Mobile County.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Add the following sentence to the end of Section 1, viz:

"Any appropriations heretofore made by the county commission that

REGULAR SESSION
28th Day

2973

would be in accordance with the provisions of this Act are hereby ratified and confirmed and specifically approved. Said county commission is hereby authorized to make appropriation for welfare purposes and for cultural purposes."

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 1523 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Erdreich	Kinsey
Adams	Chesnut	Falkenburg	Lang
Adwell	Collins	Fite	Lutz
Agee	Connell	Flippo	McBride
Bank	Coshatt	Gafford	McCluskey
Barkett	Cottingham	Goodwin	McCorquodale
Barron	Crawford	Grainger	McDonald
Bassett	Cross	Gray (F)	McMillan
Benton	Crowe	Grey (D)	Manley
Boles	Culver	Hale	Mathews
Boutwell	Dill	Harris	May
Brassell	Doss	Headley	Meeks
Burgess	Downing	Hearn	Merrill
Callahan	Drake	Hill	Mims
Carnes	Easters	Hughes	Naramore
Carter	Edwards	Jones (F)	Nettles
Casey	Ellis	King	O'Daniel

Owens	Roberts	Stewart	Waldrop
Parker	Robertson	Stokes	Wallace
Perloff	St. John	Stubbs	Warren
Porter	Slate	Therrell	Williams
Pruitt	Smith (K)	Turner	Wise
Reed (T)	Smith (P)	Turnham	Wood
Reynolds	Snell	Waggoner	Wynot

And the bill:

H. 442. (With Amendment): To further amend Section 2 of Act No. 287, H. 193, First Special Session 1965 (Acts 1965, p. 395), which section relates to the compensation of members of the board of commissioners in cities having populations of not less than 175,000 nor more than 275,000 inhabitants, according to the last federal decennial census, so as to increase the compensation of said members.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend House Bill 442 by changing the words and figures "\$22,500.00 and \$25,000.00" wherever they may appear therein to the words and figures "\$21,960.00."

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Gray (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

REGULAR SESSION
28th Day

2975

And the bill, H. 442 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1624. Relating to all counties having populations of not less than 300,000 nor more than 600,000, further regulating the sale and consumption of alcoholic or malt or brewed beverages during certain hours in certain places licensed by the Alabama Alcoholic Beverage Control Board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Carnes	Doss	Grey (D)
Adams	Carter	Downing	Hale
Adwell	Casey	Drake	Harris
Agee	Cauthen	Easters	Headley
Bank	Chesnut	Edwards	Hearn
Barkett	Collins	Ellis	Hill
Barron	Connell	Erdreich	Hughes
Bassett	Coshatt	Falkenburg	Jones (F)
Benton	Cottingham	Fite	King
Boles	Crawford	Flippo	Kinsey
Boutwell	Cross	Gafford	Lang
Brassell	Crowe	Goodwin	Lutz
Burgess	Culver	Grainger	McBride
Callahan	Dill	Gray (F)	McCluskey

28th Day

McCorquodale	Nettles	Robertson	Turner
McDonald	O'Daniel	St. John	Turnham
McMillan	Owens	Slate	Waggoner
Manley	Parker	Smith (K)	Waldrop
Mathews	Perloff	Smith (P)	Wallace
May	Porter	Snell	Warren
Meeks	Pruitt	Stewart	Williams
Merrill	Reed (T)	Stokes	Wise
Mims	Reynolds	Stubbs	Wood
Naramore	Roberts	Therrell	Wynot

—96

And the bill:

H. 1599. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 96. (With Substitute): Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing for a traveling expense for the serving of any summons or other mesne process, except subpoenas for witnesses, in any such counties coming under the provisions of this act.

Was taken up.

REGULAR SESSION
28th Day

2977

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said Committee substitute being as follows:

Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing for a traveling expense for the serving of any summons or other mesne process, except subpoenas for witnesses, in any such counties coming under the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the fee and allowance of the Sheriff of all counties having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census, there shall be allowed the sum of one dollar (\$1.00) for traveling expense for serving any summons or other mesne process, except subpoenas for witnesses. Traveling expense shall be allowed only for one trip in serving any summons or other mesne process as provided for above, and no mileage fee shall be charged, demanded or received for such service.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

Mr. Stokes offered the following amendment to the bill, H. 96 as amended:

In the title, strike the material following the semi-colon and insert in lieu thereof the following:

providing for fees to be paid the Sheriff for service of the original complaint and summons in every civil case filed in any court in such counties.

Also, strike Section 1 and insert in lieu thereof the following:

Section 1. In addition to the fee and allowance of the Sheriff of all counties having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census, there shall be allowed the sum of one dollar (\$1.00) for traveling expense for serving the original complaint and summons in every civil case filed in any court in such counties. Traveling expense shall be allowed only for one trip in serving any complaint or summons as provided for above, and no mileage fee shall be charged, demanded or received for such service.

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 96. Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing for fees to be paid the Sheriff for service of the original complaint and summons in every civil case filed in any court in such counties.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Adwell	Bank	Barron
Adams	Agee	Barkett	Bassett

REGULAR SESSION
28th Day

2979

Benton	Drake	Lang	Reynolds
Boles	Easters	Lutz	Roberts
Boutwell	Edwards	McBride	Robertson
Brassell	Ellis	McCluskey	St. John
Burgess	Erdreich	McCorquodale	Slate
Callahan	Falkenburg	McDonald	Smith (K)
Carnes	Fite	McMillan	Smith (P)
Carter	Flippo	Manley	Snell
Casey	Gafford	Mathews	Stewart
Cauthen	Goodwin	May	Stokes
Chesnut	Grainger	Meeks	Stubbs
Collins	Gray (F)	Merrill	Therrell
Connell	Gray (D)	Mims	Turner
Coshatt	Hale	Naramore	Turnham
Cottingham	Harris	Nettles	Waggoner
Crawford	Headley	O'Daniel	Waldrop
Cross	Hearn	Owens	Wallace
Crowe	Hill	Parker	Warren
Culver	Hughes	Perloff	Williams
Dill	Jones (F)	Porter	Wise
Doss	King	Pruitt	Wood
Downing	Kinsey	Reed (T)	Wynot

—96

And the bill:

H. 97. (With Amendment): To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, and further amended by an Act of the Legislature of Alabama, being Local Act No. 612, approved August 29, 1969, page 1119 of the Local Acts of Alabama of 1969, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend House Bill 97 by changing the words and figures "\$7,200.00" wherever they may appear therein to the words and figures "\$5,856.00".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Barron	Burgess	Chesnut
Adams	Bassett	Callahan	Collins
Adwell	Benton	Carnes	Connell
Agee	Boles	Carter	Coshatt
Bank	Boutwell	Casey	Cottingham
Barkett	Brassell	Cauthen	Crawford

28th Day

Cross	Grey (D)	Mathews	Slate
Crowe	Hale	May	Smith (K)
Culver	Harris	Meeks	Smith (P)
Dill	Headley	Merrill	Snell
Doss	Hearn	Mims	Stewart
Downing	Hill	Naramore	Stokes
Drake	Hughes	Nettles	Stubbs
Easters	Jones (F)	O'Daniel	Therrell
Edwards	King	Owens	Turner
Ellis	Kinsey	Parker	Turnham
Erdreich	Lang	Perloff	Waggoner
Falkenburg	Lutz	Porter	Waldrop
Fite	McBride	Pruitt	Wallace
Flippo	McCluskey	Reed (T)	Warren
Gafford	McCorquodale	Reynolds	Williams
Goodwin	McDonald	Roberts	Wise
Grainger	McMillan	Robertson	Wood
Gray (F)	Manley	St. John	Wynot

—96

And the bill, H. 97 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 99. (With Amendment): Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Was taken up.

REGULAR SESSION

2981

28th Day

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend House Bill 99 by changing the words and figures "\$22,000.00" wherever they may appear therein to the words and figures "\$21,960.00".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 99 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Carter	Drake	Headley
Adams	Casey	Easters	Hearn
Adwell	Cauthen	Edwards	Hill
Agee	Chesnut	Ellis	Hughes
Bank	Collins	Erdreich	Jones (F)
Barkett	Connell	Falkenburg	King
Barron	Coshatt	Fite	Kinsey
Bassett	Cottingham	Flippo	Lang
Benton	Crawford	Gafford	Lutz
Boles	Cross	Goodwin	McBride
Boutwell	Crowe	Grainger	McCluskey
Brassell	Culver	Gray (F)	McCorquodale
Burgess	Dill	Grey (D)	McDonald
Callahan	Doss	Hale	McMillan
Carnes	Downing	Harris	Manley

Mathews	Parker	Slate	Turnham
May	Perloff	Smith (K)	Waggoner
Meeks	Porter	Smith (P)	Waldrop
Merrill	Pruitt	Snell	Wallace
Mims	Reed (T)	Stewart	Warren
Naramore	Reynolds	Stokes	Williams
Nettles	Roberts	Stubbs	Wise
O'Daniel	Robertson	Therrell	Wood
Owens	St. John	Turner	Wynot

—96

And the bill:

H. 273. (With Amendment): To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955 p. 356) Entitled "An Act To Fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend House Bill 273 by changing the words and figures "\$22,500.00" wherever they may appear therein to the words and figures "\$19,950.00".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 273 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
28th Day

2983

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 276. To provide that in all counties having populations of not less than 300,000 nor more than 500,000 inhabitants according to the last or any succeeding census, the county governing body of such counties is authorized to pay a monthly pension to any public law librarians upon retirement.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Erdreich	Kinsey
Adams	Chesnut	Falkenburg	Lang
Adwell	Collins	Fite	Lutz
Agee	Connell	Flippo	McBride
Bank	Coshatt	Gafford	McCluskey
Barkett	Cottingham	Goodwin	McCorquodale
Barron	Crawford	Grainger	McDonald
Bassett	Cross	Gray (F)	McMillan
Benton	Crowe	Grey (D)	Manley
Boles	Culver	Hale	Mathews
Boutwell	Dill	Harris	May
Brassell	Doss	Headley	Meeks
Burgess	Downing	Hearn	Merrill
Callahan	Drake	Hill	Mims
Carnes	Easters	Hughes	Naramore
Carter	Edwards	Jones (F)	Nettles
Casey	Ellis	King	O'Daniel

Owens	Roberts	Stewart	Waldrop
Parker	Robertson	Stokes	Wallace
Perloff	St. John	Stubbs	Warren
Porter	Slate	Therrell	Williams
Pruitt	Smith (K)	Turner	Wise
Reed (T)	Smith (P)	Turnham	Wood
Reynolds	Snell	Waggoner	Wynot

—96

UNANIMOUS CONSENT GRANTED

At the request of Mr. Weeks, unanimous consent was granted for the Journal to show him voting "Yea" on all local bills.

And the bill:

H. 1817. To authorize and establish in Madison County, Alabama, the office of Warrant Magistrate; to provide for the appointment of a warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1818. To provide an expense allowance for each circuit judge of the Twenty-Third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

REGULAR SESSION
28th Day

2985

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1819. To create two additional positions of Assistant District Attorney for the Twenty-third Judicial Circuit of Alabama. Applicable to the Twenty-third Judicial Circuit; to allow the appointment of two additional Assistant District Attorneys.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Carnes	Doss	Grey (D)
Adams	Carter	Downing	Hale
Adwell	Casey	Drake	Harris
Agee	Cauthen	Easters	Headley
Bank	Chesnut	Edwards	Hearn
Barkett	Collins	Ellis	Hill
Barron	Connell	Erdreich	Hughes
Bassett	Coshatt	Falkenburg	Jones (F)
Benton	Cottingham	Fite	King
Boles	Crawford	Flippo	Kinsey
Boutwell	Cross	Gafford	Lang
Brassell	Crowe	Goodwin	Lutz
Burgess	Culver	Grainger	McBride
Callahan	Dill	Gray (F)	McCluskey

28th Day

McCorquodale	Nettles	Robertson	Turner
McDonald	O'Daniel	St. John	Turnham
McMillan	Owens	Slate	Waggoner
Manley	Parker	Smith (K)	Waldrop
Mathews	Perloff	Smith (P)	Wallace
May	Porter	Snell	Warren
Meeks	Pruitt	Stewart	Williams
Merrill	Reed (T)	Stokes	Wise
Mims	Reynolds	Stubbs	Wood
Naramore	Roberts	Therrell	Wynot

—96

And the bill:

H. 1820. To fix the supplemental salaries of circuit judges in the Twenty-Third Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1821. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the Twenty-Third Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Adwell	Bank	Barron
Adams	Agee	Barkett	Bassett

REGULAR SESSION
28th Day

2987

Benton	Drake	Lang	Reynolds
Boles	Easters	Lutz	Roberts
Boutwell	Edwards	McBride	Robertson
Brassell	Ellis	McCluskey	St. John
Burgess	Erdreich	McCorquodale	Slate
Callahan	Falkenburg	McDonald	Smith (K)
Carnes	Fite	McMillan	Smith (P)
Carter	Flippo	Manley	Snell
Casey	Gafford	Mathews	Stewart
Cauthen	Goodwin	May	Stokes
Chesnut	Grainger	Meeks	Stubbs
Collins	Gray (F)	Merrill	Therrell
Connell	Grey (D)	Mims	Turner
Coshatt	Hale	Naramore	Turnham
Cottingham	Harris	Nettles	Waggoner
Crawford	Headley	O'Daniel	Waldrop
Cross	Hearn	Owens	Wallace
Crowe	Hill	Parker	Warren
Culver	Hughes	Perloff	Williams
Dill	Jones (F)	Porter	Wise
Doss	King	Pruitt	Wood
Downing	Kinsey	Reed (T)	Wynot

—96

And the bill:

H. 1822. Relating to counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; To amend Title 11, Section 81, Code of Alabama 1940 as recom-piled in 1958; to provide for collection of fees in certain misdemeanor cases where defendant pleads guilty.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Grey (D)	Merrill
Adams	Cottingham	Hale	Mims
Adwell	Crawford	Harris	Naramore
Agee	Cross	Headley	Nettles
Bank	Crowe	Hearn	O'Daniel
Barkett	Culver	Hill	Owens
Barron	Dill	Hughes	Parker
Bassett	Doss	Jones (F)	Perloff
Benton	Downing	King	Porter
Boles	Drake	Kinsey	Pruitt
Boutwell	Easters	Lang	Reed (T)
Brassell	Edwards	Lutz	Reynolds
Burgess	Ellis	McBride	Roberts
Callahan	Erdreich	McCluskey	Robertson
Carnes	Falkenburg	McCorquodale	St. John
Carter	Fite	McDonald	Slate
Casey	Flippo	McMillan	Smith (K)
Cauthen	Gafford	Manley	Smith (P)
Chesnut	Goodwin	Mathews	Snell
Collins	Grainger	May	Stewart
Connell	Gray (F)	Meeks	Stokes

Stubbs
Therrell
TurnerTurnham
Waggoner
WaldropWallace
Warren
WilliamsWise
Wood
Wynot

—96

And the bill:

S. 400. Relating to Morgan County; to declare the public policy of the State with respect to the violation of Section 420, Title 14, Code of Alabama 1940, as Amended; to determine and declare that the criminal penalties and the remedy at law are inadequate to prevent violation of said statutes; to declare that habitual violation of said statutes constitutes a legal nuisance; to provide certain further exemptions; to prevent unfair competition among merchants through violations of said statutes; and to provide for the enforcement by injunction from a court in equity of the provisions within Morgan County.

Was taken up.

S. 400 POSTPONED

On motion of Mr. Cauthen, the bill, S. 400, was postponed to the twenty-ninth legislative day.

And the bill:

H. 1371. To provide an additional expense allowance for the chairman and members of the County Commission of all counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

Was taken up.

H. 1371 POSTPONED

On motion of Mr. Edwards, the bill, H. 1371, was postponed to the twenty-ninth legislative day.

And the bill:

H. 1654. To alter, rearrange and extend the boundary lines of the town of Woodville, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Was taken up.

Mr. Williams offered the following amendment to the bill:

Strike out Section 3 in its entirety and insert in lieu thereof the following:

Section 3. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the Town of Woodville, voting in a referendum election to be held on a day designated by the probate judge of Jackson County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the probate judge of

REGULAR SESSION
28th Day

2989

Jackson County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama 1940, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the adoption of Act No. _____, H. _____ of the 1973 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the Town of Woodville in Jackson County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes". If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The Town of Woodville shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "yes" the provisions of this Act shall become operative immediately. If the majority are "No" this Act shall have no further effect.

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 1654 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Adwell	Bank	Barron
Adams	Agee	Barkett	Bassett

Benton	Drake	Lang	Reynolds
Boles	Easters	Lutz	Roberts
Boutwell	Edwards	McBride	Robertson
Brassell	Ellis	McCluskey	St. John
Burgess	Erdreich	McCorquodale	Slate
Callahan	Falkenburg	McDonald	Smith (K)
Carnes	Fite	McMillan	Smith (P)
Carter	Flippo	Manley	Snell
Casey	Gafford	Mathews	Stewart
Cauthen	Goodwin	May	Stokes
Chesnut	Grainger	Meeks	Stubbs
Collins	Gray (F)	Merrill	Therrell
Connell	Grey (D)	Mims	Turner
Coshatt	Hale	Naramore	Turnham
Cottingham	Harris	Nettles	Waggoner
Crawford	Headley	O'Daniel	Waldrop
Cross	Hearn	Owens	Wallace
Crowe	Hill	Parker	Warren
Culver	Hughes	Perloff	Williams
Dill	Jones (F)	Porter	Wise
Doss	King	Pruitt	Wood
Downing	Kinsey	Reed (T)	Wynot

And the bill:

H. 1725. (With Amendment): Relating to counties having a population of not less than 12,700 nor more than 12,800 according to the most recent federal decennial census; to authorize the governing body of any such county to provide an expense allowance to the members of the county board of education.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend House Bill No. 1725 by striking the figure "12,800" and inserting in lieu thereof the figure "13,100".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Carnes	Doss	Grey (D)
Adams	Carter	Downing	Hale
Adwell	Casey	Drake	Harris
Agee	Cauthen	Easters	Headley
Bank	Chesnut	Edwards	Hearn
Barkett	Collins	Ellis	Hill
Barron	Connell	Erdreich	Hughes
Bassett	Coshatt	Falkenburg	Jones (F)
Benton	Cottingham	Fite	King
Boles	Crawford	Flippo	Kinsey
Boutwell	Cross	Gafford	Lang
Brassell	Crowe	Goodwin	Lutz
Burgess	Culver	Grainger	McBride
Callahan	Dill	Gray (F)	McCluskey

REGULAR SESSION
28th Day

2991

McCorquodale	Nettles	Robertson	Turner
McDonald	O'Daniel	St. John	Turnham
McMillan	Owens	Slate	Waggoner
Manley	Parker	Smith (K)	Waldrop
Mathews	Perloff	Smith (P)	Wallace
May	Porter	Snell	Warren
Meeks	Pruitt	Stewart	Williams
Merrill	Reed (T)	Stokes	Wise
Mims	Reynolds	Stubbs	Wood
Naramore	Roberts	Therrell	Wynot

—96

And the bill:

H. 1725. Relating to counties having a population of not less than 12,700 nor more than 13,000 according to the most recent federal decennial census; to authorize the governing body of any such county to provide an expense allowance to the members of the county board of education.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1730. Relating to Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent or any subsequent Federal Decennial Census; to provide for the Clerk of Circuit Court in such Counties to collect Commission on Judgments, except on Garnishments, where the Judgments are collected by said Clerk after Ninety (90) days from the date of rendition.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Gray (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1746. To provide that a judge, or former judge, of the County Court of counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census may elect to become a supernumerary judge of said court under certain conditions; to provide for the duties, authority and compensation of any such supernumerary judge.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cross	Fite
Adams	Callahan	Crowe	Flippo
Adwell	Carnes	Culver	Gafford
Agee	Carter	Dill	Goodwin
Bank	Casey	Doss	Grainger
Barkett	Cauthen	Downing	Gray (F)
Barron	Chesnut	Drake	Gray (D)
Bassett	Collins	Easters	Hale
Benton	Connell	Edwards	Harris
Boles	Coshatt	Ellis	Headley
Boutwell	Cottingham	Erdreich	Hearn
Brassell	Crawford	Falkenburg	Hill

REGULAR SESSION
28th Day

2993

Hughes	Mathews	Pruitt	Stubbs
Jones (F)	May	Reed (T)	Therrell
King	Meeks	Reynolds	Turner
Kinsey	Merrill	Roberts	Turnham
Lang	Mims	Robertson	Waggoner
Lutz	Naramore	St. John	Waldrop
McBride	Nettles	Slate	Wallace
McCluskey	O'Daniel	Smith (K)	Warren
McCorquodale	Owens	Smith (P)	Williams
McDonald	Parker	Snell	Wise
McMillan	Perloff	Stewart	Wood
Manley	Porter	Stokes	Wynot

—96

And the bill:

H. 1747. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1779. Relating to all counties having a population of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1786. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Erdreich	Kinsey
Adams	Chesnut	Falkenburg	Lang
Adwell	Collins	Fite	Lutz
Agee	Connell	Flippo	McBride
Bank	Coshatt	Gafford	McCluskey
Barkett	Cottingham	Goodwin	McCorquodale
Barron	Crawford	Grainger	McDonald
Bassett	Cross	Gray (F)	McMillan
Benton	Crowe	Grey (D)	Manley
Boles	Culver	Hale	Mathews
Boutwell	Dill	Harris	May
Brassell	Doss	Headley	Meeks
Burgess	Downing	Hearn	Merrill
Callahan	Drake	Hill	Mims
Carnes	Easters	Hughes	Naramore
Carter	Edwards	Jones (F)	Nettles
Casey	Ellis	King	O'Daniel

REGULAR SESSION
28th Day

2995

Owens	Roberts	Stewart	Waldrop
Parker	Robertson	Stokes	Wallace
Perloff	St. John	Stubbs	Warren
Porter	Slate	Therrell	Williams
Pruitt	Smith (K)	Turner	Wise
Reed (T)	Smith (P)	Turnham	Wood
Reynolds	Snell	Waggoner	Wynot

—96

And the bill:

H. 1787. To provide expenses allowances for members of the county commission of all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1788. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing for the compensation of members of the jury commission in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Brassell

Burgess	Ellis	McBride	Roberts
Callahan	Erdreich	McCluskey	Robertson
Carnes	Falkenburg	McCorquodale	St. John
Carter	Fite	McDonald	Slate
Casey	Flippo	McMillan	Smith (K)
Cauthen	Gafford	Manley	Smith (P)
Chesnut	Goodwin	Mathews	Snell
Collins	Grainger	May	Stewart
Connell	Gray (F)	Meeks	Stokes
Coshatt	Grey (D)	Merrill	Stubbs
Cottingham	Hale	Mims	Therrell
Crawford	Harris	Naramore	Turner
Cross	Headley	Nettles	Turnham
Crowe	Hearn	O'Daniel	Waggoner
Culver	Hill	Owens	Waldrop
Dill	Hughes	Parker	Wallace
Doss	Jones (F)	Perloff	Warren
Downing	King	Porter	Williams
Drake	Kinsey	Pruitt	Wise
Easters	Lang	Reed (T)	Wood
Edwards	Lutz	Reynolds	Wynot

—96

And the bill:

H. 1789. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing additional clerk hire allowances for the offices of the probate judge, tax assessor, tax collector and circuit clerk in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

REGULAR SESSION
28th Day

2997

And the bill:

H. 1790. Relating to counties having populations of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Waltenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Bassett	Carnes	Coshatt
Adams	Benton	Carter	Cottingham
Adwell	Boles	Casey	Crawford
Agee	Boutwell	Cauthen	Cross
Bank	Brassell	Chesnut	Crowe
Barkett	Burgess	Collins	Culver
Barron	Callahan	Connell	Dill

Doss	Headley	Meeks	Smith (K)
Downing	Hearn	Merrill	Smith (P)
Drake	Hill	Mims	Snell
Easters	Hughes	Naramore	Stewart
Edwards	Jones (F)	Nettles	Stokes
Ellis	King	O'Daniel	Stubbs
Erdreich	Kinsey	Owens	Therrell
Falkenburg	Lang	Parker	Turner
Fite	Lutz	Perloff	Turnham
Flippo	McBride	Porter	Waggoner
Gafford	McCluskey	Pruitt	Waldrop
Goodwin	McCorquodale	Reed (T)	Wallace
Grainger	McDonald	Reynolds	Warren
Gray (F)	McMillan	Roberts	Williams
Grey (D)	Manley	Robertson	Wise
Hale	Mathews	St. John	Wood
Harris	May	Slate	Wynot

And the Bill:

H. 1799. To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Brassell

REGULAR SESSION
28th Day

2999

Burgess	Ellis	McBride	Roberts
Callahan	Erdreich	McCluskey	Robertson
Carnes	Falkenburg	McCorquodale	St. John
Carter	Fite	McDonald	Slate
Casey	Flippo	McMillan	Smith (K)
Cauthen	Gafford	Manley	Smith (P)
Chesnut	Goodwin	Mathews	Snell
Collins	Grainger	May	Stewart
Connell	Gray (F)	Meeks	Stokes
Coshatt	Grey (D)	Merrill	Stubbs
Cottingham	Hale	Mims	Therrell
Crawford	Harris	Naramore	Turner
Cross	Headley	Nettles	Turnham
Crowe	Hearn	O'Daniel	Waggoner
Culver	Hill	Owens	Waldrop
Dill	Hughes	Parker	Wallace
Doss	Jones (F)	Perloff	Warren
Downing	King	Porter	Williams
Drake	Kinsey	Pruitt	Wise
Easters	Lang	Reed (T)	Wood
Edwards	Lutz	Reynolds	Wynot

—96

And the bill:

H. 1800. To authorize any bank in business as of January 1973 in Butler County to establish, operate and maintain branch banks.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1801. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1803. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carter
Adams	Barron	Brassell	Casey
Adwell	Bassett	Burgess	Cauthen
Agee	Benton	Callahan	Chesnut
Bank	Boles	Carnes	Collins

REGULAR SESSION
28th Day

3001

Connell	Goodwin	McMillan	St. John
Coshatt	Grainger	Manley	Slate
Cottingham	Gray (F)	Mathews	Smith (K)
Crawford	Grey (D)	May	Smith (P)
Cross	Hale	Meeks	Snell
Crowe	Harris	Merrill	Stewart
Culver	Headley	Mims	Stokes
Dill	Hearn	Naramore	Stubbs
Doss	Hill	Nettles	Therrell
Downing	Hughes	O'Daniel	Turner
Drake	Jones (F)	Owens	Turnham
Easters	King	Parker	Waggoner
Edwards	Kinsey	Perloff	Waldrop
Ellis	Lang	Porter	Wallace
Erdreich	Lutz	Pruitt	Warren
Falkenburg	McBride	Reed (T)	Williams
Fite	McCluskey	Reynolds	Wise
Flippo	McCorquodale	Roberts	Wood
Gafford	McDonald	Robertson	Wynot

—96

And the bill:

H. 1806. To provide that any city of the state having a population of not less than 6,728 and not more than 6,834 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Erdreich	Kinsey
Adams	Chesnut	Falkenburg	Lang
Adwell	Collins	Fite	Lutz
Agee	Connell	Flippo	McBride
Bank	Coshatt	Gafford	McCluskey
Barkett	Cottingham	Goodwin	McCorquodale
Barron	Crawford	Grainger	McDonald
Bassett	Cross	Gray (F)	McMillan
Benton	Crowe	Grey (D)	Manley
Boles	Culver	Hale	Mathews
Boutwell	Dill	Harris	May
Brassell	Doss	Headley	Meeks
Burgess	Downing	Hearn	Merrill
Callahan	Drake	Hill	Mims
Carnes	Easters	Hughes	Naramore
Carter	Edwards	Jones (F)	Nettles
Casey	Ellis	King	O'Daniel

28th Day

Owens	Roberts	Stewart	Waldrop
Parker	Robertson	Stokes	Wallace
Perloff	St. John	Stubbs	Warren
Porter	Slate	Therrell	Williams
Pruitt	Smith (K)	Turner	Wise
Reed (T)	Smith (P)	Turnham	Wood
Reynolds	Snell	Waggoner	Wynot

—96

And the bill:

H. 1834. To provide for the creation of public corporations in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, as political subdivisions of such counties by initiation of city and county governments within such counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare of said counties by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies within such counties, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the judge of probate of such counties wherein the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with said judges of probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other state and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carter
Adams	Barron	Brassell	Casey
Adwell	Bassett	Burgess	Cauthen
Agee	Benton	Callahan	Chesnut
Bank	Boles	Carnes	Collins

28th Day

Connell	Goodwin	McMillan	St. John
Coshatt	Grainger	Manley	Slate
Cottingham	Gray (F)	Mathews	Smith (K)
Crawford	Grey (D)	May	Smith (P)
Cross	Hale	Meeks	Snell
Crowe	Harris	Merrill	Stewart
Culver	Headley	Mims	Stokes
Dill	Hearn	Naramore	Stubbs
Doss	Hill	Nettles	Therrell
Downing	Hughes	O'Daniel	Turner
Drake	Jones (F)	Owens	Turnham
Easters	King	Parker	Waggoner
Edwards	Kinsey	Perloff	Waldrop
Ellis	Lang	Porter	Wallace
Erdreich	Lutz	Pruitt	Warren
Falkenburg	McBride	Reed (T)	Williams
Fite	McCluskey	Reynolds	Wise
Flippo	McCorquodale	Roberts	Wood
Gafford	McDonald	Robertson	Wynot

—96

And the bill:

H. 1843. Relating to any county having a population of not less than 90,000 nor more than 100,000 according to the last or any subsequent federal decennial census, providing for cost of living raises for county employees and an allowance for county officers.

Was taken up.

Mr. Carnes offered the following substitute to the bill:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to any county having a population of not less than 90,000 nor more than 100,000 according to the last or any subsequent federal decennial census, providing for cost of living raises for county employees and an allowance for county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having a population of not less than 90,000 nor more than 100,000 according to the last or any subsequent federal decennial census county employees shall periodically have their salary adjusted according to the consumer price index compiled by the U. S. Department of Labor, Bureau of Labor Statistics.

Section 2. On the first day of January, April, July and October the county governing body of said counties shall determine the percent change in the consumer price index for the previous 3 months, adjusted to the nearest $\frac{1}{10}$ of 1 percent, and make provisions for providing county employees with a cost of living raise.

Section 3. The said employees shall receive a cost of living raise in an amount equal to the percentage rise in the consumer price index multiplied by the salary of the highest paid hourly wage employee. Said raises shall be effective for the first pay period beginning after the first day of January, April, July and October.

Section 4. In the event that the consumer price index should decrease or remain the same, the employees' salaries shall remain the same as at the end of the previous 3 months period.

Section 5. In all counties covered by this Act all elected or appointed county officers shall receive an additional expense allowance in accordance with the provisions of Sections 6 and 7 of this Act to cover the expenses associated with their officers. "Elected or appointed county officers" is to be interpreted liberally, so as to include persons who might otherwise be considered state officers and whose salaries are paid fully or partially by the state, but who are elected by or appointed by persons elected by the electors of such counties and whose salaries are set by local act or by general act of local application.

Section 6. The initial expense allowance for such officers shall be payable monthly beginning October 1, 1973, and shall be an amount equal to the percentage rise in the consumer price index, adjusted to the nearest $\frac{1}{10}$ of 1 percent, for the period March 1, 1971, to September 31, 1973, multiplied by the amount of the officer's monthly salary (including all compensation paid for performing official duties, whether paid wholly from state funds, wholly from local funds, or paid partially from state funds and partially from local funds).

Section 7. On the first day of January, April, July and October of each year the expense allowance provided for herein shall be increased by an amount equal to the percentage increase in the consumer price index, adjusted to the nearest $\frac{1}{10}$ percent of 1 percent, for the previous 3 months multiplied by the amount of the officer's salary (including all compensation paid for performing official duties, whether paid wholly from state funds, wholly from local funds, or paid partially from state funds and partially from local funds) and previous expense allowance combined. Should the consumer price index decline for the 3 month period no change shall be made in the expense allowance.

Section 8. All of the above provisions to the contrary notwithstanding, all allowances for circuit judges shall be calculated by multiplying the percentage rise in the consumer price index, adjusted to the nearest $\frac{1}{10}$ of 1 percent, by the amount of the local salary supplement paid to them and not the total compensation and expenses received by them from all sources; and, provided further, that allowances to be paid to the district attorney, county judge and probate judge shall be in the same amount as the allowances paid to circuit judges and not in an amount calculated upon any other bases; and, provided further, that allowances to be paid to court reporters pursuant to this act shall be calculated by multiplying the percentage rise in the consumer price index, adjusted to the nearest $\frac{1}{10}$ of 1 percent, by the amount of compensation received from local funds and not the total compensation and expenses received by them from all sources.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 10. All laws or parts of laws which conflict with this act are repealed.

Section 11. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REGULAR SESSION
28th Day

3005

And the substitute was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 1843 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Grey (D)	Merrill
Adams	Cottingham	Hale	Mims
Adwell	Crawford	Harris	Naramore
Agee	Cross	Headley	Nettles
Bank	Crowe	Hearn	O'Daniel
Barkett	Culver	Hill	Owens
Barron	Dill	Hughes	Parker
Bassett	Doss	Jones (F)	Perloff
Benton	Downing	King	Porter
Boles	Drake	Kinsey	Pruitt
Boutwell	Easters	Lang	Reed (T)
Brassell	Edwards	Lutz	Reynolds
Burgess	Ellis	McBride	Roberts
Callahan	Erdreich	McCluskey	Robertson
Carnes	Falkenburg	McCorquodale	St. John
Carter	Fite	McDonald	Slate
Casey	Flippo	McMillan	Smith (K)
Cauthen	Gafford	Manley	Smith (P)
Chesnut	Goodwin	Mathews	Snell
Collins	Grainger	May	Stewart
Connell	Gray (F)	Meeks	Stokes

28th Day

Stubbs
Therrell
Turner

Turnham
Waggoner
Waldrop

Wallace
Warren
Williams

Wise
Wood
Wynot

—96

And the bill:

H. 1845. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to impose certain additional privilege or license taxes upon the sale of malt or brewed beverages in certain areas of said counties, and to provide for the collection and distribution of said taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Brassell
Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford

Cross
Crowe
Culver
Dill
Doss
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hale
Harris
Headley
Hearn
Hill

Hughes
Jones (F)
King
Kinsey
Lang
Lutz
McBride
McCluskey
McCorquodale
McDonald
McMillan
Manley
Mathews
May
Meeks
Merrill
Mims
Naramore
Nettles
O'Daniel
Owens
Parker
Perloff
Porter

Pruitt
Reed (T)
Reynolds
Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Therrell
Turner
Turnham
Waggoner
Waldrop
Wallace
Warren
Williams
Wise
Wood
Wynot

—96

And the bill:

H. 1846. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee

Bank
Barkett
Barron
Bassett

Benton
Boles
Boutwell
Brassell

Burgess
Callahan
Carnes
Carter

REGULAR SESSION
28th Day

3007

Casey	Fite	McCorquodale	Robertson
Cauthen	Flippo	McDonald	St. John
Chesnut	Gafford	McMillan	Slate
Collins	Goodwin	Manley	Smith (K)
Connell	Grainger	Mathews	Smith (P)
Coshatt	Gray (F)	May	Snell
Cottingham	Grey (D)	Meeks	Stewart
Crawford	Hale	Merrill	Stokes
Cross	Harris	Mims	Stubbs
Crowe	Headley	Naramore	Therrell
Culver	Hearn	Nettles	Turner
Dill	Hill	O'Daniel	Turnham
Doss	Hughes	Owens	Waggoner
Downing	Jones (F)	Parker	Waldrop
Drake	King	Perloff	Wallace
Easters	Kinsey	Porter	Warren
Edwards	Lang	Pruitt	Williams
Ellis	Lutz	Reed (T)	Wise
Erdreich	McBride	Reynolds	Wood
Falkenburg	McCluskey	Roberts	Wynot

—96

And the bill:

H. 1857. To amend Act No. 379, H. 937, Regular Session 1969 (Acts 1969, p. 750) which establishes a secretary for the Deputy District Attorney of all counties having a population of not less than 38,100 nor more than 40,500, in order to further regulate the salary of said secretary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1525. To provide for supernumerary sheriffs in the various counties in the State of Alabama having a population of not less than 150,000 and not more than 180,000 according to the last Federal Decennial Census, setting up the requirements and qualifications, fixing their compensation, status and tenure of office, and providing for the payment of their salaries.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnutt	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1461. To amend Section 6, Section 9, Section 15, Section 18 and Section 24 of Act Number 1606, H. 1891 approved September 17, 1971, Regular Session 1971 (Acts 1971, p. 2761) to create in the City of Montgomery in connection with the regular organized and paid Fire Department of the City of Montgomery Fire Fighters Pension Fund; to create a board of trustees of the Montgomery Fire Fighters Pension Fund and to provide for the organization of such board of trustees; to designate certain members of said board and provide for the selection of such members; to prescribe the powers and duties of said board and its officers and agents; to provide for the use, management and control of said Fund; to provide for the payment into such Fund of a certain percentage of the gross premiums now being collected from fire insurance companies doing business within such City for said Fund, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report and for enforcing such penalty; to provide for the payment into such Fund of a portion of the monthly salary of

REGULAR SESSION

3009

28th Day

each member of such Fire Department; to provide for pensions for disabled and retired members of such Fire Department and the spouse and minor children of such disabled and retired members; to provide for the payment of the costs of administering said Fund; to prescribe the duties of such City officials in connection with the said board of trustees and the said Fund; to provide for the repeal of all laws in conflict herewith; and to provide the effective date of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 619. (With Substitute) (With Amendment): To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376) as amended by Act No. 991 of the Regular Session of the Legislature of Alabama of 1971, approved September 7, 1971 (Ala. Acts, 1971, p. 1783), and amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971 (Ala. Acts, 1971 p. 2692), which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts 1951, p. 1579) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the latest or any subsequent federal census.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said Committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376) as amended by Act No. 991 of the Regular Session of the Legislature of Alabama of 1971, approved September 7, 1971 (Ala. Acts, 1971, p. 1783), and amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971 (Ala. Acts, 1971 p. 2692), which Act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts 1951, p. 1579) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the latest or any subsequent Federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 556, of the Regular Session of the Legislature of Alabama of 1951, enacted November 19, 1959 (Ala. Acts, 1959, p. 1376), as amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, enacted September 17, 1971 (Ala. Acts, 1971, p. 2692) is amended so to read as follows:

Section 4. Board of Managers. There shall be a Board of Managers of three members for the administration, management and control of the Supplemental Pension System, including administration, management, control, acquisition and disbursement of the fund. The Board shall consist of the President of the governing body of the city, who shall be Chairman of the Board, and two associate members, designated respectively as "Member No. 1" and "Member No. 2". Member No. 1 shall be appointed by the Personnel Board. Member No. 1 shall be a person who at the time of his appointment is, and for a period of five consecutive years immediately preceding his appointment has been, an officer of, or the occupant of an executive position with, an insurance company issuing annuity policies and policies of disability insurance, the principal place of business of which insurance company is located within the city; provided, however, that if any such person is not available, the Personnel Board in appointing Member No. 1 shall select from the persons available that person who in the opinion of the Personnel Board is best qualified to discharge the duties of a member of the Board of Managers. Member No. 2 shall be elected from employees belonging to the Supplemental Pension System at an election to be held within sixty days from the date on which this Act becomes effective. The employee receiving a plurality of votes at the election shall be elected. At the first election to be held hereunder employees belonging to the System may vote for a fireman or policeman to hold the position to be occupied by Member No. 2 on the Board. In any election subsequent to the first election employees voting in such subsequent election shall not vote for any member of the System belonging to the same department (that is fire department or police department; as the case may be) to which the person last elected Member No. 2 for a full term belonged at the time of

his election. The purpose of the next preceding sentence is to rotate Member No. 2 between the fire department and the police department of the city. The governing body of the city shall have the authority to prescribe rules and regulations concerning the notice of and conduct of the election to select Member No. 2. Member No. 1 and Member No. 2 shall hold office for a period of four years, with the first term for both commencing on the date on which the first Member No. 1 and the first Member No. 2 have both been selected.

"If the commencement of the actual operation of the system hereby established is delayed, or deferred, as a consequence of the validity of this Act being called in to question in litigation the four year terms of Member No. 1 and Member No. 2 shall not be deemed to begin until the litigation is terminated."

"The Board shall meet on the second Thursday in each calendar month; provided, however, that the Board shall not be required to meet unless there is pending before the Board some application for a pension, relief or benefit or unless there is pending some other matter requiring consideration by the Board; and provided, further, that the Board by and through a resolution adopted by it may change the regular meetings from Thursday to such other time as may be convenient to the Board. Any two members of the Board, after due notice having been given to all members of the Board, may meet in special meeting and transact any business of the Board provided the Secretary shall be present and record the proceeding of the special meeting as hereinafter provided. The Board shall meet in the office of the Chairman, or such other place as the Board may designate."

"The personnel director shall be secretary of the Board and shall be present at every meeting of the Board, and keep a record of all proceedings of the Board and of all orders and decisions of the Board. Neither the secretary nor any member of the Board shall receive any salary or compensation for his services as such except Member No. 1, who shall receive ten dollars for each meeting attended, but not more than twenty dollars for meetings attended in any calendar month. Two members of the Board, when assembled in either regular or special meeting, shall constitute a quorum for the transaction of any and all business of the Board, and the affirmative vote of two members shall be necessary and sufficient to pass any motion or resolution. The Board is empowered to make rules and regulations not inconsistent with the provisions of the system in relation to its affairs and the system. The Board shall receive, investigate and pass upon all applications for retirement and disability and widow allowances and shall make retirement and disability and widow allowances in accordance with the system to all persons entitled thereto under the system, and its decision upon all matters of fact shall be final and conclusive unless it shall be affirmatively made to appear that its decision is plainly and manifestly wrong. The Board is authorized to borrow money up to the par value of the securities of the fund and to pledge such securities for repayment of the money borrowed. No money of the fund shall be invested, paid out or disbursed except pursuant to order or authorization of the Board. The Board shall be trustee, and have entire management and control of the fund, shall have sole and exclusive authority to invest its funds, and shall direct investment of monies of the fund not needed to meet disbursements provided for in this Act in the loans to members hereinafter referred to and in bonds of the United States, the State of Alabama and any municipality of Alabama, and in bonds of corporations organized under Federal laws or under the laws of any State of the United States; provided, however, that no

funds shall be invested in bonds, or common or preferred stocks and stocks of private corporations unless such bonds are listed upon exchanges subject to the jurisdiction of the Securities and Exchange Commission, and the aggregate par value of the funds invested in such bonds or common or preferred stocks and stocks of corporations last referred to above shall not exceed fifty (50%) per cent of the par value of all investments of the fund exclusive of loans to members. In addition to methods of removal hereinabove provided for, any member of the Board may be removed by impeachment for corruption or malfeasance or misfeasance in office or for habitual neglect of duty. From the fund of the System created by this Act the Board of Managers shall pay to the fund of the General Retirement and Relief System the amounts hereinafter specified. When any fireman or policeman retires on length of service, as is hereinafter provided for in Section 8, the Board of Managers of this System shall pay from the fund of this System the amount specified in the next succeeding sentence during each month between the date on which such fireman or policeman retired and the date on which he would have been entitled to receive a retirement allowance from the General Retirement and Relief System for thirty (30) years service had he not retired, but had continued to serve without interruption as a member of the General Retirement and Relief System until entitled to receive from said last named system a retirement pension based on thirty (30) years service. The amount which the Board of Managers created by this Act shall pay to the fund of the General Retirement and Relief System, during the period specified in the next preceding sentence shall be the sum of the amount which the city would have deducted from the salary of such fireman or policeman and would have paid into the fund of the General Retirement and Relief System had such fireman or policeman continued to be employed by the city during the period specified in the next preceding sentence at the same salary from which the deductions were made by the city at the time he retired under Section 8 of this Act plus the amount which the city during the said last named period would have paid from funds of the city into the funds of the General Retirement and Relief System to match said salary deductions had the said fireman or policeman continued to work until entitled to retire on a pension based on thirty (30) years service as aforesaid.

At least sixty (60) days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or Senatorial District wherein there is established any pension system provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said system to meet the benefits provided, which said report or survey shall consider the cost of each of the said benefits separately and severally. If the actual concludes that any reduction in benefits is necessary in order to assure the solvency of the fund, then in his report he shall include his recommendations as to what additional contributions should be made, to the end that the said additional contributions, to be borne by the city, to assure the solvency of the said fund. It being the intention and purpose of this Act that the only funds out of which the benefits provided for by this Act will be paid shall be the fund of this pension system which said system is established upon the petition of the firemen and policemen belonging to the said system, with the express understanding on their part that the firemen and policemen and the dependents of firemen and policemen claiming benefits hereunder shall look only to the fund hereby created for the payment of benefits provided. The said actuarial report or survey shall contain the

REGULAR SESSION
28th Day

3013

opinion of the said actuary as to whether he considers any change in the rate of city contributions necessary in order to assure solvency of the fund, and if so, what change or changes in rate of city contributions he considers necessary. After the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to the members of the House of Representatives and the Senator designated above a similar actuarial report or survey at least once every four years sixty (60) days prior to the convening of a Regular Session of the Legislature of Alabama. The Board of Managers shall not employ the same actuary, or firm actuary, to make two consecutive reports or surveys required to be submitted to the members of the House of Representatives and Senator above designated. The Board of Managers shall have authority to secure other actuarial studies, investigations and reports at such other times as may seem proper to the Board.

From the fund of the system the Board of Managers shall pay the cost of securing any such actuarial reports, surveys or investigations.

“(b) As herein used in this Section 4, the following words and terms have the meanings hereby ascribed to them: ‘the Board’ means the Board of Managers provided for by this Section 4; ‘the effective date of subsection (b)’ means the date on which this subsection (b) of Section 4 becomes effective; ‘this Act’ means Act 556, as amended; ‘the system’ means the pension system established by this Act; ‘the 3.50% proviso’ means the provisions of a contemplated amendment of this Act which amendment will require the city to pay three and one-half per centum (3.50%), instead of two and 35/100 per cent (2.35%), of the city salary of each fireman and policeman belonging to the supplemental pension system, subject, however, to the following limitations: (1) only that part of a fireman’s or policeman’s salary subject to deductions under Act 929 shall be counted in determining the amount of the payment the city is to make to said pension system fund; (2) the requirement that the city pay said three and one-half per centum (3.50%) shall apply only to those firemen and policemen who elect to become subject to the requirement; and (3) each fireman or policeman electing to become subject to the said requirement shall pay (by salary deductions) to the supplemental pension system fund a matching amount which shall be equal to the three and one-half per centum (3.50%) the city pays to the said pension system fund; ‘member electing the 3.50% proviso,’ means a member electing to become subject to the 3.50% proviso; ‘the additional payments to the system’ means the additional payments the city and a member subject to the 3.50% proviso make to the system fund on account of his becoming subject to the 3.50% proviso.

“(c) Within sixty days of the effective date of subsection (b), above, of this Section 4, the Board shall employ an actuary to render actuarial opinions on the questions below stated, which questions and opinions shall be based upon the assumption below given.

“The assumption given is that this Act will be amended so as to include the provisions the 3.50% proviso contains.”

“The first question on which the Board will secure an actuarial opinion pertains to the widow’s allowance for which subsection (d) of Section 8 of this Act, as amended, provides, which the first question calls “the widow’s allowance under Section 8”. The first question is the following:

(1) Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to increase the amount of

the widow's allowance for which Section 8 provides, to what extent would sound actuarial practice and analysis permit such widow's allowance to be increased?

"The second question on which the Board will secure an actuarial opinion pertains to the death benefit for widows and children, for which Section 9 of this Act, as amended, provides, and which the second question calls 'death benefits under Section 9.' The second question is the following:

(2) Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to increase the death benefits under Section 9, to what extent would sound actuarial practice and analysis permit such death benefits to be increased?

"The third and fourth questions on which the Board will secure actuarial opinions pertain to the pension subsection (a) of Section 8 of Act 556, as amended, provides for members having at least twenty-five (25) years creditable time to receive from the system, which the third and fourth questions call 'the retirement pension under Act 556.' The third question on which the Board will secure the actuarial opinion is the following:

(3) Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to increase the amount of his retirement pension under Act 556, to what extent would sound actuarial practice and analysis permit such pension to be increased? Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to pay him an entirely new benefit (which will be in addition to the benefits provided by Act Numbers 556 and 929) said new benefit to be an additional pension for his life paid out of the fund set up by Act No. 556. The amount of said additional pension to be determined by a percent of his final average salary multiplied by the number of years of his creditable time in excess of twenty-five (25) years. What percent would sound actuarial practice and analysis permit?

(4) Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to reduce the amount of creditable time required to entitle him to the retirement pension under Act 556, how much creditable time would sound actuarial practice and analysis require to entitle such member to the said retirement pension?

"The fifth question on which the Board will secure an actuarial opinion pertains to the pension payable to members of the system under Act 929, to which a member of the system becomes entitled under Act 929, upon acquiring thirty (30) years creditable time, or to which, after retiring under Act 556 on at least twenty-five (25) years service, he becomes entitled under Act 929 on the date on which he would have been in the service of the city for thirty (30) years if he had not retired on less than thirty (30) years service under Act 556. The fifth question calls the pension mentioned in the next foregoing sentence 'the pension under Act 929.' The fifth question is the following:

(5) Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to supplement the pension under Act 929, to what extent would sound actuarial practice and analysis permit the pension under Act 929 to be increased?

"It is declared to be the Legislative policy that in addition to the five questions above stated the Board is to secure actuarial opinions on any other reasonable questions submitted to the Board by the members of the system as regards the extent to which present benefits of the system can be increased, consistently with sound actuarial practice and analysis in favor of a member electing to become subject to the 3.50% proviso."

"(d) Within four months from the effective date of this subsection (d) of this Section 4 the Board of Managers of the system shall transmit to each member of the House of Representatives representing the County wherein the city is located and to each Senator of the Senatorial District wherein the city is located, a copy of the actuarial opinions which subsection (b) of this Section 4 requires said Board to obtain and any other information which the Board considers material on the question of the increase in present benefits which should be made in favor of a member electing to become subject to the 3.50% proviso."

Section 2. Section 6 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts 1959, p. 1376), is amended so to read as follows:

"Section 6. Retirement and Relief Fund. (a) For the purpose of the deductions from salary provided for in this Section 6 the salary of a fireman or policeman shall be deemed to be the same as his salary is for the purpose of payroll deductions provided for in Section 9 of Act No. 929, as heretofore or hereafter amended.

"(b) At the end of each payroll period subsequent to the effective date of this Act, the city shall deduct from the salary of each fireman or policeman for such payroll period an amount equal to two and 35/100 percentum (2.35%) of his salary for each such payroll period.

"(c) The city shall promptly pay each and every deduction of salary provided for into a Retirement and Relief Account hereinafter referred to as "The Fund." At the same time the city pays into the fund any deduction from the salary of any employee member, the city shall match such deduction by paying into the fund from its general and other appropriate funds an amount equal to the full amount of such deduction. The City Comptroller is specifically charged with the duty of making such deductions from salaries and of making such payments into the fund. The fund shall include all assets of the fund in any form, and the City Comptroller shall be ex-officio, the custodian of the fund. The custodian shall keep a separate account of the fund and of all assets and liabilities thereof and of all receipts and disbursements thereof and of all prior service time and paid membership time of employee members. The custodian shall keep all monies of the fund in a separate bank account. The custodian shall keep in force and effect a bond in a penal amount equal to the total amount of monies and securities in his custody or possession, but in no event in excess of ten percent (10%) of the total assets of the fund, payable to the Board and conditioned for faithful performance of his duties and for faithful accounting to the Board for all monies, securities and property coming into his custody or possession as such custodian. Such bond shall be executed by a surety company authorized to do business in the State of Alabama, and the premium on such bond, and all necessary expenses of the Board, shall be paid out of the fund upon order of the Board. All bonds and securities acquired for the fund and which are registerable as to principal shall be registered by the custodian in the name of the system promptly upon

acquisition and shall remain so registered until sold or otherwise disposed of by authority of the Board. The Board may select a banking institution located within the territorial jurisdiction of the city as subcustodian of securities, with authority to collect and remit to the custodian principal and interest of securities entrusted to its custody as the same may mature, and pay it such reasonable fees or compensation for its services as the Board may deem proper, and the Board may, if it sees fit, waive bond of such institution as subcustodian so long as the net worth of the subcustodian exceeds one and one-half times the total par value of the securities entrusted to its custody. Securities in the custody of such subcustodian shall not be counted as in the custody of the custodian for the purpose of computing the amount of the custodian's bond. The Board is authorized to accept and receive gifts, donations or legacies for the fund, and to administer same against the fund, the records of the City Comptroller and custodian made and kept for the purpose of this Act shall be deemed *prima facie*, to speak the truth.

Section 3. Section 8 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376), as heretofore amended, is further amended so as to read as follows.

"Section 8. Supplemental Retirement Allowance. The words, terms and phrases used in this Section 8 shall have the meaning ascribed to them by Act No. 929, unless it appears from the context that a different meaning is intended. No policeman or fireman shall receive the retirement allowance provided for by this Section prior to September 21, 1964; and no policeman or fireman shall receive the retirement allowance provided for by this Section until Act No. 929 has been amended so as to authorize the Board of Managers of the General Retirement and Relief System provided for by said Act No. 929 to receive from the Board of Managers created by this Act the payments provided for by Section 4 of this Act nor until said Act No. 929 has been amended so as to provide that any fireman or policeman who, regardless of age, has accumulated twenty (20) or more years of creditable time shall be entitled to voluntary retirement from the service and obtain the retirement allowance provided for in Act No. 929, subject, however, to the condition or limitation that payment of the retirement allowance under Act No. 929 shall not commence until the date on which such fireman or policeman would have accumulated thirty (30) years creditable time under Act No. 929 had he continued to remain in the service. After Act No. 929 has been amended as fore-said, any policeman or fireman granted a voluntary retirement allowance under Act No. 929 on less than thirty (30) years creditable service, the payment of which allowance shall commence when he would have had thirty (30) years creditable time had he not retired, shall receive from the fund of the System created by this Act a monthly retirement allowance each month between the date on which he retires from service and the date on which he would have accumulated thirty (30) years creditable time had he not retired, which monthly retirement allowance shall be in an amount equal to fifty percent (50%) of his final average salary at the time of his retirement, plus one-half of one percentum ($\frac{1}{2}$ of 1%) of his final average salary multiplied by the number of years of his creditable time in excess of twenty (20) years of his creditable time. The payment of the retirement allowance provided for hereby shall cease on the date on which such fireman or policeman would have accumulated thirty (30) years creditable time in the General Retirement Relief System, created by Act No. 929, had he continued to serve from the date of his retirement.

Section 4. Section 9 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376) as heretofore amended, is further amended so to read as follows:

"Section 9. Death Benefit for Widows of Children. The words, terms and phrases used in this Section 9 shall have the meaning ascribed to them by Act No. 929, unless it appears from the context that a different meaning is intended. This Section shall not apply to any fireman or policeman unless such fireman or policeman, as the case may be, within the time hereinafter specified, designates the Board of Managers of the Supplemental Pension System to receive the return of contributions made by him to the General Retirement and Relief System, created by Act No. 929. Any fireman or policeman employed by the city on the date this act becomes operative as to the city shall make such designation within sixty days from said date; and any fireman or policeman entering the service of the city subsequent to the date on which this act becomes operative as to the city shall make such designation within thirty days from the date on which he enters the employ of the city as a fireman or policeman. This Section shall not apply as to any such fireman or policeman who after having designated the Board of Managers of the Supplemental Pension System, as aforesaid, changes the designation. This Section shall not be construed to provide any benefit for any widow or child of any deceased fireman or policeman under Act No. 929, whether such benefits be based on death in line of duty or on the fact that prior to the death of the fireman or policeman, as the case may be, he had accumulated sufficient creditable time to entitle him to receive a retirement allowance, it being the intention of this Section to provide benefits for widows and children of firemen and policemen, to the extent herein specified where such widows and children are not entitled to receive any benefits under said Act No. 929.

This Section shall not apply to any fireman or policeman, or to the widow or children of any such fireman and policeman unless such fireman or policeman, as the case may be, has accumulated five (5) or more years of creditable time at the date of his death. All of the provisions of this Section hereinafter set forth shall be subject to all of the conditions and limitations hereinabove set forth in this Section. If any fireman or policeman having five (5) or more years creditable time shall die, his widow, if any, without regard to the time during which the marriage existed, shall be entitled to a monthly allowance of forty per centum (40%) of the final average salary of such deceased member, plus a monthly allowance of Ten Dollars (\$10.00) per month for each child of such widow by such deceased member until such child shall marry, die or reach the age of eighteen (18) years, whichever may first occur. In the event such deceased member leaves no widow surviving or in the event of the death of his widow, the allowance provided hereby for any child of such deceased member shall be payable to the legal guardian or to the person who has legal custody of said child for the use and benefit of said child. The total amount of monthly allowance payable under this Section to the widow and child or children of the deceased member shall in no event exceed fifty per centum (50%) of the final average salary of such deceased member. In the event there is more than one child of such deceased member entitled to an allowance under this Section, the widow, if any, shall nevertheless receive forty per centum (40%) of the deceased member's salary, as provided hereinabove; and the allowances for the children, so long as there are a widow and more than one child receiving an allowance hereunder, shall be reduced equally so that in no event shall the total allowances paid under this

Section exceed fifty per centum (50%) of the final average salary of such deceased member."

Section 5. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend H. 619 by deleting the last two paragraphs immediately preceding Section 4(b), said paragraphs commencing on page seven of said H. 619 and substitute in lieu thereof the following:

"At least sixty days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or Senatorial District wherein there is established any pension system provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said system to meet the benefits provided, which said report or survey shall consider the cost of each of the said benefits separately and severally. If the actuary concludes that any reduction in benefits is necessary in order to assure the solvency of the fund, then in his report he shall include his recommendations as to what reductions should be made, to the end that the said Board may make such reductions in benefits as may be required to assure the solvency of the said fund. It is expressly provided that no claim for any benefit provided for by this Act shall be an obligation against the city, or

the General Retirement and Relief System, it being the intention and purpose of this Act that the only funds out of which the benefits provided for by this Act will be paid shall be the fund of this pension system which said system is established upon the petition of the firemen and policemen belonging to the said system, with the express understanding on their part that the firemen and policemen and the dependents of firemen and policemen claiming benefits hereunder shall look only to the fund hereby created for the payment of benefits provided and with the full understanding upon the part of said firemen and policemen that the benefits provided for hereby will be reduced if reduction thereof is required in order to assure the solvency of the said fund. The said actuarial report or survey shall contain the opinion of the said actuary as to whether he considers any change in the benefits necessary in order to assure solvency of the fund, and if so, what change or changes he considers necessary. After the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to the members of the House of Representatives and the Senate designated above a similar actuarial report or survey at least once every four years sixty days prior to the convening of a Regular Session of the Legislature of Alabama. The Board of Managers shall have authority to secure other actuarial studies, investigations and reports at such other times as may seem proper to the Board. From the fund of the system the Board of Managers shall pay the cost of securing any such actuarial reports, surveys or investigations."

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

And the bill, H. 619 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1752. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Carter	Drake	Headley
Adams	Casey	Easters	Hearn
Adwell	Cauthen	Edwards	Hill
Agee	Chesnut	Ellis	Hughes
Bank	Collins	Erdreich	Jones (F)
Barkett	Connell	Falkenburg	King
Barron	Coshatt	Fite	Kinsey
Bassett	Cottingham	Flippo	Lang
Benton	Crawford	Gafford	Lutz
Boles	Cross	Goodwin	McBride
Boutwell	Crowe	Grainger	McCluskey
Brassell	Culver	Gray (F)	McCorquodale
Burgess	Dill	Grey (D)	McDonald
Callahan	Doss	Hale	McMillan
Carnes	Downing	Harris	Manley

REGULAR SESSION
28th Day

3021

Mathews	Parker	Slate	Turnham
May	Perloff	Smith (K)	Waggoner
Meeks	Porter	Smith (P)	Waldrop
Merrill	Pruitt	Snell	Wallace
Mims	Reed (T)	Stewart	Warren
Naramore	Reynolds	Stokes	Williams
Nettles	Roberts	Stubbs	Wise
O'Daniel	Robertson	Therrell	Wood
Owens	St. John	Turner	Wynot

—96

And the bill:

H. 1780. To amend Section 2 of Act No. 965, H. 1396, Regular Session 1969 (Acts 1969, p. 1710) which provides for the salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any succeeding federal census; so as to further provide for such salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1847. To amend Section 17 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, providing for a retirement system for employees and officers of Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1848. To amend Section 13 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, providing for a retirement system for employees and officers of Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Fite	McBride
Adams	Collins	Flippo	McCluskey
Adwell	Connell	Gafford	McCorquodale
Agee	Coshatt	Goodwin	McDonald
Bank	Cottingham	Grainger	McMillan
Barkett	Crawford	Gray (F)	Manley
Barron	Cross	Grey (D)	Mathews
Bassett	Crowe	Hale	May
Benton	Culver	Harris	Meeks
Boles	Dill	Headley	Merrill
Boutwell	Doss	Hearn	Mims
Brassell	Downing	Hill	Naramore
Burgess	Drake	Hughes	Nettles
Callahan	Easters	Jones (F)	O'Daniel
Carnes	Edwards	King	Owens
Carter	Ellis	Kinsey	Parker
Casey	Erdreich	Lang	Perloff
Cauthen	Falkenburg	Lutz	Porter

REGULAR SESSION
28th Day

3023

Pruitt	Slate	Stubbs	Wallace
Reed (T)	Smith (K)	Therrell	Warren
Reynolds	Smith (P)	Turner	Williams
Roberts	Snell	Turnham	Wise
Robertson	Stewart	Waggoner	Wood
St. John	Stokes	Waldrop	Wynot

—96

And the bill:

H. 1849. (With Amendment): To provide that the governing body of any county of the state having a population of 500,000 or more according to the last or any subsequent federal census shall be authorized to accord persons who are members of the Pension System established for officers and employees of the county the option to convert all, or any part of, their unpaid membership time to paid membership time; provided, however, that such power shall be subject to the conditions and limitations prescribed in the Act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 3 of House Bill 1849 by adding an additional sentence immediately following the words:

“converting the unpaid membership time to paid membership time.”
said additional sentence to read as follows:

“The authority conferred by this Act shall expire on the date six months subsequent to the date whereon this Act becomes effective.”

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Connell	Grainger	Mathews
Adams	Coshatt	Gray (F)	May
Adwell	Cottingham	Grey (D)	Meeks
Agee	Crawford	Hale	Merrill
Bank	Cross	Harris	Mims
Barkett	Crowe	Headley	Naramore
Barron	Culver	Hearn	Nettles
Bassett	Dill	Hill	O'Daniel
Benton	Doss	Hughes	Owens
Boles	Downing	Jones (F)	Parker
Boutwell	Drake	King	Perloff
Brassell	Easters	Kinsey	Porter
Burgess	Edwards	Lang	Pruitt
Callahan	Ellis	Lutz	Reed (T)
Carnes	Erdreich	McBride	Reynolds
Carter	Falkenburg	McCluskey	Roberts
Casey	Fite	McCorquodale	Robertson
Cauthen	Flippo	McDonald	St. John
Chesnut	Gafford	McMillan	Slate
Collins	Goodwin	Manley	Smith (K)

28th Day

Smith (P)	Stubbs	Waggoner	Williams
Snell	Therrell	Waldrop	Wise
Stewart	Turner	Wallace	Wood
Stokes	Turnham	Warren	Wynot

—96

And the bill, H. 1849 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1853. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579), as heretofore amended, which Act established in and for every city of the state having a population of two hundred and fifty thousand or more according to the last or any succeeding federal census a pension and relief system for officers and employees of such city and their widows and children.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carter
Adams	Barron	Brassell	Casey
Adwell	Bassett	Burgess	Cauthen
Agee	Benton	Callahan	Chesnut
Bank	Boles	Carnes	Collins

REGULAR SESSION
28th Day

3025

Connell	Goodwin	McMillan	St. John
Coshatt	Grainger	Manley	Slate
Cottingham	Gray (F)	Mathews	Smith (K)
Crawford	Grey (D)	May	Smith (P)
Cross	Hale	Meeks	Snell
Crowe	Harris	Merrill	Stewart
Culver	Headley	Mims	Stokes
Dill	Hearn	Naramore	Stubbs
Doss	Hill	Nettles	Therrell
Downing	Hughes	O'Daniel	Turner
Drake	Jones (F)	Owens	Turnham
Easters	King	Parker	Waggoner
Edwards	Kinsey	Perloff	Waldrop
Ellis	Lang	Porter	Wallace
Erdreich	Lutz	Pruitt	Warren
Falkenburg	McBride	Reed (T)	Williams
Fite	McCluskey	Reynolds	Wise
Flippo	McCorquodale	Roberts	Wood
Gafford	McDonald	Robertson	Wynot

—96

And the bill:

H. 1854. (With Amendment): To submit to the qualified electors of Alabama and amendment to the Constitution of said State providing that the governing body of the city of Birmingham shall have the power to supplement the pension or benefit payable from, or out of, a pension system established for city personnel provided that such supplement is based upon an increase in the cost of living occurring since establishment of the rate or amount of such pension, or benefit; and provided, further, that such power shall be subject to such limitations and restrictions as the Legislature may impose from time to time.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend House Bill 1854 by adding, after Section 1 thereof, the two following Sections:

"Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940."

"Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county."

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 1854 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

REGULAR SESSION
28th Day

3027

And the bill:

H. 1855. To amend sub-section (a) of Section 12 of Act No. 497 of the Regular Session of the Legislature of Alabama 1965 (Ala. Acts, 1965, page 717 et seq.), establishing a pension system for officers and employees of Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1856. (With Amendment): To amend Section 4 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, page 717), establishing a pension system for officers and employees of Jefferson County, Alabama.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 1 of H. B. 1856 by deleting therefrom the following words:

“based upon such employee’s total salary.” and inserting in lieu thereof said words and period deleted, the following:

“with respect to the salary he receives after becoming a member. The right of election this subsection (c) confers shall expire six months subsequent to the effective date of said subsection.”

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Gray (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 1856 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Grey (D)	Merrill
Adams	Cottingham	Hale	Mims
Adwell	Crawford	Harris	Naramore
Agee	Cross	Headley	Nettles
Bank	Crowe	Hearn	O'Daniel
Barkett	Culver	Hill	Owens
Barron	Dill	Hughes	Parker
Bassett	Doss	Jones (F)	Perloff
Benton	Downing	King	Porter
Boles	Drake	Kinsey	Pruitt
Boutwell	Easters	Lang	Reed (T)
Brassell	Edwards	Lutz	Reynolds
Burgess	Ellis	McBride	Roberts
Callahan	Erdreich	McCluskey	Robertson
Carnes	Falkenburg	McCorquodale	St. John
Carter	Fite	McDonald	Slate
Casey	Flippo	McMillan	Smith (K)
Cauthen	Gafford	Manley	Smith (P)
Chesnut	Goodwin	Mathews	Snell
Collins	Grainger	May	Stewart
Connell	Gray (F)	Meeks	Stokes

REGULAR SESSION
28th Day

3029

Stubbs
Therrell
Turner

Turnham
Waggoner
Waldrop

Wallace
Warren
Williams

Wise
Wood
Wynot

—96

And the bill:

H. 1300. (With Amendment): To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 1300, Section 1, by striking the words "Said deputy commissioner shall be paid an annual compensation of one thousand (\$1,000) less than" and inserting in lieu thereof the following: "Said deputy commissioner shall be paid an annual compensation equal to 72½ percent of".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Brassell
Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford

Cross
Crowe
Culver
Dill
Doss
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hale
Harris
Headley
Hearn
Hill

Hughes
Jones (F)
King
Kinsey
Lang
Lutz
McBride
McCluskey
McCorquodale
McDonald
McMillan
Manley
Mathews
May
Meeks
Merrill
Mims
Naramore
Nettles
O'Daniel
Owens
Parker
Perloff
Porter

Pruitt
Reed (T)
Reynolds
Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Therrell
Turner
Turnham
Waggoner
Waldrop
Wallace
Warren
Williams
Wise
Wood
Wynot

—96

And the bill, H. 1300 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1432. (With Substitute): Relating to Cleburne County, regulating the purchase, sale, and exchange of property for the county and providing for and requiring competitive bidding on certain contracts; providing a central purchasing system for the county and county officers and departments; designating a county purchasing agent; to provide for an inventory of county property and equipment; to provide for labeling of all county property and equipment; prescribing penalties.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Cleburne County, regulating the purchase, sale, and exchange of property for the county and providing for and requiring competitive bidding on certain contracts; providing a central purchasing system for the county and county officers and departments; designating a county purchasing agent; to provide for an inventory of county property and equipment; to provide for labeling of all county property and equipment; prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Subject to the supervision, regulation, and control of the county commission, board of revenue, or other like governing body of Cleburne County, and any rules and regulations which such body may promulgate from time to time in exercising its authority under this Act, all purchases for the county shall be made by such county governing body through its duly authorized agent. And the probate judge, as chairman of the county commission, shall function as purchasing agent without additional compensation. The provisions of this Act shall have application to all purchases made by or for Cleburne County. The purchasing agent shall make all purchases of supplies, materials, equipment, and contractual services (which term as used in the Act shall not include purchase of insurance, utility services where no competition exists or where rates are fixed by law or ordinance, or contracts for professional or other personal services) for the county. In addition to all other powers and duties the purchasing agent shall have the following authority:

(1) To establish standard specifications for supplies, equipment, and materials used by the county officials, offices, and departments;

(2) To operate a central storeroom;

(3) To require county officers, offices and departments to prepare estimates of requirements;

(4) To transfer among the county officers, offices, and departments surplus supplies, equipment and materials, or to sell surplus or obsolete items as provided herein;

(5) To promulgate reasonable rules and regulations governing the acquisition of supplies, materials and equipment, or the disposal of surplus or obsolete personal property of the county.

Section 2. The county commission, board of revenue, or other like governing body, and its clerk, as may be designated by law, shall maintain the books and records of the county in accordance with the accounting and record system prescribed by the State Department of Examiners of Public Accounts. In addition, the commission, shall require a perpetual inventory to be maintained of all tools, tires, machinery, fuel, oil, grease, spare parts, supplies and equipment belonging to or leased by Cleburne County. Such inventory shall be made by the purchasing agent or someone designated by him and the record of such perpetual inventory shall be kept on file in the office of the purchasing agent, and shall be open to public inspection at all reasonable times. Such inventory record shall show where such property is located and in whose possession or under whose control it is. In addition, the purchasing agent shall mark or label all such property owned by Cleburne County in letters of sufficient size so as to make the property clearly distinguishable as being property of Cleburne County.

Section 3. Supplies, materials, equipment and services shall be furnished to the county officers, offices, and departments only upon written requisition setting forth the articles needed and signed by the officer for whose office the articles are requested. The requisitions shall state by items the articles that are desired and needed, that the articles are necessary, that the amount of the requisition is not excessive, and that no part of the article will be used except in conducting the public business. The requisitions, with the purchase invoices attached, shall be kept on file in the office of the purchasing agent, in an orderly manner, as a permanent record subject to public inspection at all reasonable times.

The provisions of this Act requiring purchases to be made through the county commission may be waived in the case of small purchases costing no more than one hundred dollars (\$100.00) provided that no such purchase is part of a larger purchase which has been divided for the purpose of coming within this exception.

All county officers, and all county offices and departments shall inspect, upon delivery, all materials, supplies, and equipment purchased for him or it, and no item shall be accepted and paid for without having been approved by the officer, office, or department requesting the purchase. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of such purchase.

Section 4. The purchasing agent shall obtain at least three written, sealed, competitive bids on all purchases of supplies, materials, equipment, and contractual services when the amount involved is Five Hundred and No/100 (\$500.00) Dollars or more. If the proposed purchase or contract involves an amount less than Five Hundred and No/100 (\$500.00) Dollars, the purchase may be made either on the basis of sealed bids or in the open market. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than Five Hundred and No/100 (\$500.00) Dollars for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board in the county courthouse at least ten days prior to the meeting at which the purchase is to be made and advertised in a newspaper of general circulation in the county at the discretion of the purchasing agent. If the amount of the proposed purchase or the proposed contract is in excess of Five Hundred and No/100 (\$500.00) Dollars, written notice by registered mail, with return receipt requested shall be given to at least three merchants or dealers in the goods or materials to be purchased, or where notice is of a contract to be let, to at least three contractors engaged in the type of work contemplated. A copy of such notice or notices, together with the return receipts showing their delivery, must be recorded in and shall become a part of the permanent records of the county purchasing agent.

All bids received on proposed purchases or contracts shall be opened publicly at the time and place stated in the invitation to bid. The contract or order shall be awarded to the lowest responsible bidder, or all bids may be rejected and re-advertised as provided above. The purchasing agent may obtain information from the Division of Purchases and Stores of the State Department of Finance relative to the items to be purchased by competitive bids; and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids may be rejected and the purchase may be negotiated through the State Purchasing Agent. All bids, with the names of the bidders, shall be entered on a permanent record. Each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award, be open to public inspection. In the event of a sale, trade, or other disposition of any property of the county of any nature or kind the procedure as outlined herein as it relates to the obtaining of written, sealed, competitive bids shall be followed, and such sale, trade, or disposition of the property of the county shall be made in accordance with the most advantageous offer made.

Section 5. In an emergency a purchase not to exceed one thousand five hundred dollars (\$1,500.00) may be made without competitive bids an

without obtaining information from the Division of Purchases and Stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the purchasing agent and filed in his office. An emergency, as the term is used herein, means a situation where needed equipment of the county is idle due to lack of parts, supplies, or repairs therefor, or when materials or supplies are immediately needed to place in operating condition the road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof. The records of such emergency transactions shall be open to public inspection. The provisions of this Act regarding competitive bidding and obtaining information from the State Purchasing Agent may be waived for purchases of perishable commodities, machinery repairs, and commodities or services for which there is no competitive situation.

Section 6. In making purchases for the county the purchasing agent shall give preference to commodities produced or sold in Cleburne County, provided there is no sacrifice or loss in price or quality.

Section 7. All contracts of whatever nature for the sale or disposal of tangible personal property owned by Cleburne County, shall be let by free and open competitive public auction or sealed bids. Every proposal to make a sale covered by this Act shall be advertised for at least two weeks in advance of the date fixed for receiving the bids. Such advertisement shall appear at least once a week for two consecutive weeks in a newspaper of general circulation in Cleburne County and a copy of such proposal shall simultaneously be posted on a readily accessible public bulletin board at the Cleburne County Courthouse. The advertisements shall further state the date, time and place of auction or opening of sealed bids and no bid shall be received at any time after the time advertised. The bids shall be publicly taken, or opened in the case of sealed bids, by the purchasing agent and all bidders shall be entitled to be present in person or by representative. The bid of the successful bidder so marked, as well as the bids of the unsuccessful bidders in the case of sealed bids shall be placed on file in the office of the purchasing agent and open to public inspection. In the event that all bids received are less than the estimated market value of the property the purchasing agent may reject all bids and readvertise as provided above.

All proceeds from sales made under the provisions of this Act shall be paid into the County Treasury to be credited to the fund from which original-ly purchased.

Section 8. Whoever purchases or disposes of, or attempts to purchase or dispose of property for or on behalf of Cleburne County contrary to the provisions of this Act, or whoever violates any provision of this Act, is guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), and in addition may be imprisoned in the penitentiary for one year and one day.

Section 9. The county commission, board of revenue, or other like county governing body of Cleburne County shall provide the purchasing agent with the quarters, supplies, books, equipment, postage, and assistance necessary for the proper and efficient conduct of his duties. The purchasing

agent may employ, County expense, not more than one employee for the administration of this act.

Section 10. Before entering upon the discharge of his duties, the county purchasing agent shall execute a bond in the sum of five thousand dollars (\$5,000.00). The bond shall be payable to Cleburne County, with good and sufficient surety, and shall be conditioned upon the faithful discharge and performance of his duties. The bond shall be filed and recorded in the office of the judge of probate of the county, and the premium thereon shall be paid by the county.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill, H. 1432 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Burgess
Adams	Barkett	Boles	Callahan
Adwell	Barron	Boutwell	Carnes
Agee	Bassett	Brassell	Carter

REGULAR SESSION
28th Day

3035

Casey	Fite	McCorquodale	Robertson
Cauthen	Flippo	McDonald	St. John
Chesnut	Gafford	McMillan	Slate
Collins	Goodwin	Manley	Smith (K)
Connell	Grainger	Mathews	Smith (P)
Coshatt	Gray (F)	May	Snell
Cottingham	Grey (D)	Meeks	Stewart
Crawford	Hale	Merrill	Stokes
Cross	Harris	Mims	Stubbs
Crowe	Headley	Naramore	Therrell
Culver	Hearn	Nettles	Turner
Dill	Hill	O'Daniel	Turnham
Doss	Hughes	Owens	Waggoner
Downing	Jones (F)	Parker	Waldrop
Drake	King	Perloff	Wallace
Easters	Kinsey	Porter	Warren
Edwards	Lang	Pruitt	Williams
Ellis	Lutz	Reed (T)	Wise
Erdreich	McBride	Reynolds	Wood
Falkenburg	McCluskey	Roberts	Wynot

—96

And the bill:

H. 1739. To amend Act No. 30, Second Special Session 1971 (Acts 1971, p. 4163), which act relates to the appointment of a probate court clerk in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, so as to provide further for the compensation of said clerks within such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1742. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1743. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, authorizing the governing bodies to pay all fees, dues and related expenses of membership in any professional organization to which the tax assessors, tax collectors, probate judges and license commissioners of such counties may belong.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Burgess
Adams	Barkett	Boles	Callahan
Adwell	Barron	Boutwell	Carnes
Agee	Bassett	Brassell	Carter

REGULAR SESSION
28th Day

3037

Casey	Fite	McCorquodale	Robertson
Cauthen	Flippo	McDonald	St. John
Chesnut	Gafford	McMillan	Slate
Collins	Goodwin	Manley	Smith (K)
Connell	Grainger	Mathews	Smith (P)
Coshatt	Gray (F)	May	Snell
Cottingham	Grey (D)	Meeks	Stewart
Crawford	Hale	Merrill	Stokes
Cross	Harris	Mims	Stubbs
Crowe	Headley	Naramore	Therrell
Culver	Hearn	Nettles	Turner
Dill	Hill	O'Daniel	Turnham
Doss	Hughes	Owens	Waggoner
Downing	Jones (F)	Parker	Waldrop
Drake	King	Perloff	Wallace
Easters	Kinsey	Porter	Warren
Edwards	Lang	Pruitt	Williams
Ellis	Lutz	Reed (T)	Wise
Erdreich	McBride	Reynolds	Wood
Falkenburg	McCluskey	Roberts	Wynot

—96

And the bill:

H. 1807. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1809. To amend Act No. 386, H. 960, Regular Session 1969 (Acts

1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flipppo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1836. To fix the salary for the County Solicitor (Deputy District Attorney) of Geneva County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Callahan	Culver	Goodwin
Adams	Carnes	Dill	Grainger
Adwell	Carter	Doss	Gray (F)
Agee	Casey	Downing	Grey (D)
Bank	Cauthen	Drake	Hale
Barkett	Chesnut	Easters	Harris
Barron	Collins	Edwards	Headley
Bassett	Connell	Ellis	Hearn
Benton	Coshatt	Erdreich	Hill
Boles	Cottingham	Falkenburg	Hughes
Boutwell	Crawford	Fite	Jones (F)
Brassell	Cross	Flipppo	King
Burgess	Crowe	Gafford	Kinsey

REGULAR SESSION
28th Day

3039

Lang	Merrill	Reynolds	Therrell
Lutz	Mims	Roberts	Turner
McBride	Naramore	Robertson	Turnham
McCluskey	Nettles	St. John	Waggoner
McCorquodale	O'Daniel	Slate	Waldrop
McDonald	Owens	Smith (K)	Wallace
McMillan	Parker	Smith (P)	Warren
Manley	Perloff	Snell	Williams
Mathews	Porter	Stewart	Wise
May	Pruitt	Stokes	Wood
Meeks	Reed (T)	Stubbs	Wynot

—96

And the bill:

H. 1841. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Cleburne County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Cleburne County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

28th Day

And the bill:

H. 1842. To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled "Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Brassell	Falkenburg	Manley	Stokes
Burgess	Fite	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—96

And the bill:

H. 1860. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, providing for an additional expense allowance for members and chairman of the governing bodies of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carter
Adams	Barron	Brassell	Casey
Adwell	Bassett	Burgess	Cauthen
Agee	Benton	Callahan	Chesnut
Bank	Boles	Carnes	Collins

REGULAR SESSION
28th Day

3041

Connell	Goodwin	McMillan	St. John
Coshatt	Grainger	Manley	Slate
Cottingham	Gray (F)	Mathews	Smith (K)
Crawford	Grey (D)	May	Smith (P)
Cross	Hale	Meeks	Snell
Crowe	Harris	Merrill	Stewart
Culver	Headley	Mims	Stokes
Dill	Hearn	Naramore	Stubbs
Doss	Hill	Nettles	Therrell
Downing	Hughes	O'Daniel	Turner
Drake	Jones (F)	Owens	Turnham
Easters	King	Parker	Waggoner
Edwards	Kinsey	Perloff	Waldrop
Ellis	Lang	Porter	Wallace
Erdreich	Lutz	Pruitt	Warren
Falkenburg	McBride	Reed (T)	Williams
Fite	McCluskey	Reynolds	Wise
Flippo	McCorquodale	Roberts	Wood
Gafford	McDonald	Robertson	Wynot

—96

And the bill:

H. 1526. (With Amendment): Relating to all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent decennial census; providing for the compensation of the members of the governing body of said counties.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend House Bill 1526 by changing the words and figures "\$24,000.00" wherever they may appear therein to the words and figures "18,300.00".

And the amendment was adopted.

Yeas 44; Nays 1.

Yeas:

Mr. Speaker	Casey	Grainger	O'Daniel
Bank	Chesnut	Hale	Owens
Barkett	Connell	Hill	Perloff
Barron	Cottingham	Hughes	Porter
Benton	Cross	King	Pruitt
Boles	Downing	Lutz	Reed (T)
Boutwell	Drake	McBride	Smith (K)
Brassell	Easters	McCluskey	Therrell
Burgess	Falkenburg	McDonald	Waldrop
Carnes	Fite	Mathews	Wallace
Carter	Flippo	Naramore	Williams

—44

Nay: Mr. Callahan.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1526 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hughes	Pruitt
Bank	Cross	Jones (F)	Reed (T)
Barkett	Doss	King	Roberts
Barron	Downing	Lutz	Robertson
Benton	Drake	McBride	Smith (K)
Boles	Easters	McCluskey	Stokes
Boutwell	Falkenburg	McDonald	Therrell
Brassell	Fite	Mathews	Turner
Burgess	Flippo	Naramore	Waggoner
Carnes	Grainger	O'Daniel	Waldrop
Carter	Hale	Owens	Wallace
Chesnut	Harris	Perloff	Williams
Connell	Hill	Porter	Wise

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1450. Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Was taken up.

MOTION TO POSTPONE LOST

The motion of Mr. Burgess to indefinitely postpone the bill, H. 1450, was lost.

And the bill, H. 1450, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 38; Nays 7.

Yeas:

Messrs.:	Crawford	King	O'Daniel
Adams	Dill	Lang	Parker
Bank	Downing	Lutz	Perloff
Barron	Erdreich	McBride	Reed (T)
Benton	Falkenburg	McMillan	Roberts
Boutwell	Flippo	McNair	St. John
Brassell	Gray (F)	May	Stokes
Carnes	Harris	Meeks	Waldrop
Cauthen	Hill	Naramore	Williams
Coshatt	Jones (F)	Nettles	

—38

Nays:

Messrs.:
Burgess

Carter
Connell

Doss
Grainger

Hughes
Warren

—7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 620. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority to any county in which any such city may be located."

Was taken up.

Mr. Wallace offered the following substitute to the bill:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the most recent federal decennial census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system

for certain employees of a Civic Center Authority to any county in which any such city may be located."

Be It Enacted by the Legislature of Alabama:

Section 1. That Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq) entitled as amended: "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the most recent federal decennial census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969 to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located, and said Act is hereby amended to read as follows:

"ARTICLE I"

ESTABLISHMENT OF PLAN

Section 1. Derivation and application. The provisions of this act are derived in part from one or more of Act No. 24 of the extra session of the legislature of 1936-1937, approved January 26, 1937 (Acts of 1936-37, page 20); Act No. 512 of the regular session of the legislature of 1939, approved September 21, 1939 (Acts 1939, page 795); Subdivision 10, of Article 16 of Chapter 4 of Title 62 of the 1940 Code of Alabama (Title 62, page 322); Act No. 334 of the regular session of the legislature of 1945, approved July 6, 1945 (Loc. Acts 1945, page 144); Act No. 237 of the regular session of the legislature of 1947, approved August 4, 1947 (Loc. Acts 1947, page 144); and Act No. 470 of the regular session of the legislature of 1949, approved August 25, 1949, but nothing in the derivation of provisions of this act or in the above statement of derivation shall be construed to render this act other than an act original in form. This act shall apply to cities which have a population of two hundred and fifty thousand or more inhabitants according to the most recent federal decennial census, and shall not apply to any city of a lesser population according to such census.

Section 2. Retrospective Operation. The articles and sections of this act comprise a retirement and relief system for officers and employees of each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the most recent federal decennial census, and, subject to the provisos hereinafter in this section contained, said articles and sections comprising such system for such officers and employees of each such city, shall be read, construed and have retrospective operation and effect as though enacted on the 26th day of January, 1937. Consistently, and subject to said provisos, every act, proceeding and transaction heretofore had, done, accomplished or attempted under or under color of any statute described in Section 1 shall be construed and

deemed an act had, done, accomplished or attempted under the system, and the validity and effect thereof so measured and governed, and without limiting the generality of the foregoing, but still subject to said provisos, every contribution, return of contributions, refund, loan, investment, receipt, disbursement, debt, liability, contact, transaction and business to, from, or with or affecting the pension and relief fund under any statute described in Section 1 or color thereof shall be construed and deemed as a contribution, return of contribution, refund, loan, investment, receipt, disbursement, debt, liability, contract, transaction or business to, from, of with or affecting the retirement and relief fund under the system. The foregoing provisions of this section shall be subject to the following provisos: (a) Any sentence of the system which contains the phrase "September 19, 1939" shall be read, construed and have operation and effect as though enacted for the first time on September 19, 1939. (b) Any sentence of the system which contains the phrase "July 1, 1945", shall be read, construed and have operation and effect as though enacted for the first time at July 1, 1945. (c) The legal effect of any payment heretofore made by any pension and relief or retirement and relief fund referred to in this act shall be measured by the law as it actually existed at the time of such payment, and any debt or liability, whether for return of contributions or otherwise, discharged by any such payment shall not be revived by anything contained in the system and shall not constitute the basis of any claim under the system against the retirement and relief fund provided for in this act. (d) The rights of any person who shall retire hereafter or who shall have retired heretofore from the service of his municipal employer, either voluntarily or involuntarily, and who shall be or shall have been allowed retirement benefits under the statute or system actually in existence at the time of such retirement shall, during continuance of such retirement, continue to be measured and governed by the terms of the statute or the system so in existence at the time of such retirement, and should such person die during continuance of such retirement the rights of any widow of such person shall be measured and governed by the terms of the statute or of the system in effect at the time of death of such person, and the retirement and relief fund provided as a part of the system shall secure such rights of such person and such widow. (e) Except as otherwise expressly provided in this section or in the system, the rights of any person who may or may not have become separated from the service, and the rights of any privies of such person, shall be measured and governed by the statutes of the system in effect at the time of such separation.

Section 3. Purpose of the System. The general purpose of the system embraced in the articles and sections of this act is the governmental one of promoting efficiency of employees in the service by partially relieving their minds of harassing fear of the consequences of loss of employment through disability, old age and otherwise and by furnishing trained employees a partial incentive to remain in the service during their years of presumptively increasing efficiency and a partial incentive to voluntarily retire and be replaced during their years of presumptively declining efficiency.

ARTICLE II

DEFINITIONS

Section 1. DEFINITIONS. The following words, terms and phrases, wherever used in this Act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

"The City." This term shall mean and have reference to each such city, separately, as may have a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census.

"The Board of Health." The county board of health whose territorial jurisdiction includes the territory of the city.

"The System." The system provided by and comprised within the articles and sections of this Act, and such system shall be the system applicable in and for each such city, individually, as may have a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census.

"Date of Establishment." Date of establishment of the system for a city. The date of establishment of the system for each city which has a population of two hundred and fifty thousand or more inhabitants according to the federal census next preceding the passage of this Act shall be deemed September 1, 1937. The date of establishment of the system for each such city as does not have a population of two hundred and fifty thousand or more inhabitants according to the federal census next preceding the passage of this Act, but which may have such a population according to any federal census succeeding the passage of this Act, shall be deemed the date on which such city first reaches such population according to such succeeding federal census.

"The Fund." The retirement and relief fund provided for as a part of the system, and shall include assets in the form of money and in other forms.

"Employer." The City.

"Employee." A person between whom and the city there exists the technical relationship of employer and employee, whether such person be employed through the principal governing body of the city or through a subsidiary body such as a park board.

"Qualified Employee." Any person who on or after the date of establishment is employed by the City as a full time employee in a job other than as

a) An officer elected by the people;

b) A member of the library, museum, park, zoning adjustment boards or similar boards with active duty on an intermittent basis (i.e., not regularly upon successive business days.)

c) A common laborer.

"Fire and Police Employee." Any person who, on or after the effective date of this Plan, is employed by the City as a full time fireman or policeman.

"Full Time Employee." A salaried employee who is normally scheduled to work sixteen (16) days per month or more.

"Participant." A qualified employee who participates in the System under Article IV hereof.

"Employee Member." A person who is simultaneously a qualified employee and a participant.

"In the service." In the service of the city. A person shall be deemed in the service of the city while the technical relationship of employer and employee subsists between him and the city.

"In the Classified service." In the classified service as defined in any civil service statute or rule now or hereafter applicable to the city, and for the purposes of this Act only shall include full time recorders, regularly assigned to the trial of cases.

"Effective Date." The date of establishment.

"Anniversary date." The date of establishment and the month and day thereof annually thereafter.

"Fiscal Year." The accounting year of the System which shall run from each September 1 through the August 31 next following.

"Past Service Credit" or "Prior Service Time." The credit given a Participant for employment with the City prior to the Effective Date except for such period of time for which the employee received no pay from the City.

"Future Service Credit or Paid Membership Time." The credit given a Participant for employment with the City subsequent to the Effective Date for which he shall have made contributions to the Fund through payroll deductions or direct payments authorized "Basic Monthly Earnings" and "Monthly Salary." Basic monthly compensation exclusive of overtime pay but including longevity pay.

"Final Average Salary." The average of the three (3) consecutive years of highest compensation in the ten (10) years immediately preceding retirement after the effective date of this plan divided by twelve (12) months.

"Total covered payroll." The total of the basic annual salaries plus annualized longevity pay, but excluding overtime or other forms of extra compensation, of all Participants in the system at any point in time.

"Payroll Period." A period of time for which a payment of salary is ordinarily made with respect to a qualified employee.

"Board of Managers." The administrative board of the System as provided in ARTICLE III hereof.

"The Board." The Board of Managers as herein provided.

"The City Comptroller." The employee of the City whose duties are those of treasurer or chief financial employee.

"The custodian." The custodian of the fund.

"The Personnel Director." The Personnel Director provided for the city by statute or, if there be no such Personnel Director, the City Clerk, the custodian, or another, as the Board may determine.

"Council" or "City Council." The governing body of the City.

"Clerk" or "City Clerk." The City Clerk of the City.

"The County." The County in which the City is located and if the City is located in more than one county, then that County in which the major portion or larger part of the City is located.

"Civil Defense Agency." Any public organization, agency, or authority organized or existing pursuant to state law and exercising Civil Defense Functions within the city or within the city and elsewhere in the county.

"Civic Center" or "Civic Center Authority." Any public corporation, authority or agency organized pursuant to State Law for the purpose of providing, constructing, operating, and maintaining a Civic Center in the County in which the City is located or in the City.

"Retiree." A former Participant who has been granted a retirement allowance or a disability allowance by the Board.

"Credited Service" or "Creditable Time." The credited service or creditable time of a participant or employee member shall include all his paid membership time and all of his prior service time.

"Mayor." The Mayor or Chief Executive Officer of the City.

"The Personnel Board." The Board of Control of any Civil Service System provided for the City by statute or, if at any time there be no such Board of Control, then the governing body of the City.

Widow shall include Widower, spouse shall include husband or wife, Policeman shall include Policewoman, and Fireman shall include a femal employed in the position of a fireman.

Words written in the "singular" shall include the "plural," words in the "plural" shall include the feminine gender and words of the feminine gender shall include the masculine gender unless the context shall clearly and absolutely indicate a restrictive meaning.

ARTICLE III

ADMINISTRATION OF PLAN

Section 1. Board of Managers.

The System shall be administered by a Board of Managers consisting of five (5) members as follows:

- 1) The Mayor of the City, who shall serve as Chairman;
- 2) A member appointed by the Personnel Board of the City;
- 3) A participant in the System who shall be elected by the Participants in the System;
- 4) A member appointed by the Mayor;
- 5) A person who is not a participant in the System who shall be elected by the Participants in the System.

Section 2. Method of Selection and Term of Appointment of Board Members.

The members of the Board of Managers, other than the Mayor who shall always serve as Chairman, shall be selected and shall serve for the term as hereafter set forth.

- 1) The member appointed by the Personnel Board shall be a bona fide resident and qualified voter of the City, and shall serve a four (4) year term.

28th Day

Should said appointed member die, resign or otherwise be unable to serve, the vacancy thus created shall be filled by the Personnel Board for the unexpired term.

2) The first of the two members elected by the Participants in the System shall himself be a participant in the System and shall be a bona fide resident and qualified voter of the City. In order to assure representation of all Participants in the System, if the person first elected is a member of the Fire Department or Police Department, the Participant elected to fill the next term shall be a Participant who is not an employee of the Fire Department or Police Department. Similarly, if the first member thus elected should not be an employee of the Fire Department or Police Department, the Participant elected to fill the next term shall be a participant who is not an employee of the Fire Department or Police Department. Thereafter this member shall alternate between the two groups (i.e., Fire Department or Police Department and other than the Fire Department or Police Department.) In the event the Participant thus elected shall die, resign or otherwise be unable to serve, the Participant elected to fill the unexpired term shall be from the same group as was the Participant whose term as a member of the Board of Managers was vacated.

This participant-member of the Board shall be elected by secret ballot to serve a term of four (4) years commencing on the day the result of the election is declared. The Council shall have the authority to prescribe and to change rules and regulations concerning the election of said participant member provided that the rules and regulations as prescribed or changed are not inconsistent with this Act.

3) The member appointed by the Mayor shall have more than ten (10) years experience in an executive capacity in insurance, actuarial, investment or banking work, shall be a bona fide resident and qualified voter of the City and shall serve for a four (4) year term.

4) The second member elected by the Participants in the System shall not be a participant in this System, shall have more than ten (10) years experience in an executive capacity in insurance, actuarial, investment or banking work and shall be a bona fide resident and qualified voter of the City.

This non-participant member of the Board shall be elected by secret ballot to serve a term of four (4) years. The election shall be called by the Council after thirty (30) day's notice. Nominations of persons to fill this position shall be made in writing by participants in this System and shall be filed with the Council and the City Clerk of the City no less than ten (10) days prior to the date of the election.

In the event a vacancy occurs during a term of this member of the Board of Managers, a replacement shall be elected by participants in this System in the same manner as that set forth in this sub-section (4).

Section 3. Meetings of the Board of Managers.

The Board of Managers shall meet on the second Wednesday in each calendar month in the office of the Chairman or such other place as the Board may designate; provided, however, that the Board shall not be required to meet unless there is pending before the Board an application for a pension, relief or benefit or unless there is pending some other matter of consideration by the Board. The Board of Managers by virtue of a resolution adopted by it

may change the regular meeting from Wednesday to such other date as may be most convenient to the Board.

Section 4. Special Meetings of the Board of Managers.

Any three Board members, after due notice having been given to all members of the Board, may meet in special meeting and transact any business of the Board; provided, however, the Secretary must be present and record the proceedings of the special meeting as hereinafter provided.

Section 5. Secretary of the Board.

The Personnel Director shall be Secretary of the Board and shall be present at every meeting of the Board and keep a record of all proceedings of the Board and of all orders and decisions of the Board.

Section 6. Quorum.

Three members of the Board, when assembled either in regular or special meeting, shall constitute a quorum for the transaction of any and all business of the Board and the affirmative vote of three members shall be necessary and sufficient to pass any motion or resolution.

Section 7. Compensation of Members of the Board.

The member of the Board of Managers appointed by the Personnel Board, the member of the Board of Managers appointed by the Mayor and the non-participant member of the Board of Managers appointed by the Mayor and the non-participant member of the Board of Managers elected by the Participants in the System shall receive Ten Dollars (\$10.00) for each meeting attended but in no event shall receive more than Twenty Dollars (\$20.00) for all meetings attended in any one calendar month. No other member of the Board nor the Secretary shall receive any compensation whatever for so serving.

Section 8. Powers and Duties of the Board.

The Board shall have such powers as are necessary for the proper administration of the System including, but not limited to the following:

- 1) To prescribe procedures to be followed by Participants, and their beneficiaries, in filing application for benefits and for the furnishing of evidence necessary to establish employees' rights to such benefits;
- 2) To make determinations as to the rights of any Participant or their beneficiaries applying for or receiving benefits, and to afford any such individual dissatisfied with any such determination the right of a hearing thereon;
- 3) To develop procedures for the establishment of Credited Service of Participants, and after affording Participants an opportunity to make objection with respect thereto, to establish such service conclusively in advance of retirement.
- 4) To retain and pay from the fund for the service of a consultant and actuary.
- 5) To receive and pay from the fund for periodic (not more often than once a year) actuarial valuations of the Plan;
- 6) To retain and pay for from the fund the services of an investment advisor.

7) To retain and pay for from the fund the services of an accountant or auditor.

8) To obtain from the City the Plan consultants and actuaries, if any, and from the Participants such information as shall be necessary for the proper administration of the Plan and pay from the fund any reasonable expense incurred in connection therewith;

9) To retain and pay for from the fund the services of such additional professional counsel as the Board may deem necessary for the proper management and administration of the System.

Any member of the Board may serve beyond his term until a successor is appointed or elected. Any member of the Board may be removed by impeachment for corruption, malfeasance in office, or for habitual neglect of duty.

Section 9. The Fund and its Investment.

(a) The fund shall include all assets of the fund in any form, and the city comptroller shall be, ex officio, the custodian of the fund. The custodian shall keep a separate account of the fund and of all assets and liabilities thereof and of all receipts and disbursements thereof and all prior service time and paid membership time of employee members. The custodian shall keep all monies of the fund in a separate bank account. The custodian shall keep in force and effect a bond in a penal amount equal to the total amount of moneys and securities in his custody or possession, but in no event in excess of Fifty Thousand Dollars (\$50,000), payable to the Board of Managers and conditioned for faithful performance of his duties and for faithful accounting to the Board for all monies, securities and property coming into his custody or possession as such custodian. Such bond shall be executed by a surety company authorized to do business in the State of Alabama, and the premium on such bond, and all necessary expenses of the Board, shall be paid out of the fund upon order of the Board. All bonds and securities acquired for the fund and which are registerable as to principal shall be registered by the custodian in the name of the System promptly upon acquisition and shall remain so registered until sold or otherwise disposed of by authority of the Board. The Board shall select a banking institution located within the territorial jurisdiction of the city as subcustodian of securities, with authority to collect and remit to the custodian principal and interest of securities entrusted to its custody as the same may mature, and pay it such reasonable fees or compensation for its services as the Board may deem proper, and the Board may, if it sees fit, waive bond of such institution as subcustodian so long as the net worth of the subcustodian exceeds one and one-half times the total par value of the securities entrusted to its custody. Securities in the custody of such subcustodian shall not be counted as in the custody of the custodian for the purpose of computing the amount of the custodians bond. The Board is authorized to accept and receive gifts, donations, or legacies for the fund and to administer same as may be directed by the donors. In the adjudication of claims against the fund, the records of the city comptroller and custodian made and kept for the purpose of this act shall be deemed prima facie, to speak the truth.

(b) The Board of Managers shall have the sole and absolute discretion, if they deem it advisable, to invest, reinvest and have invested and reinvested all funds of this System, real and personal subject to the limitations herein

provided. The Board is authorized to borrow money up to the par value of the securities of the fund and to pledge such securities for repayment of the money borrowed. No money of the fund shall be invested, paid out or disbursed except pursuant to order or authorization of the Board. The Board shall be trustee, and have entire management and control of the fund, and shall direct investment of monies of the fund not needed to meet disbursements provided for in this Act in the loans to members hereinabove referred to and in bonds of the United States Government, or general obligation bonds of the State of Alabama, or general obligation bonds of any municipality or county of the State of Alabama, or in Federal Savings and Loan Associations, or in other corporations having Federal Savings and Loan Association's guarantee, or in bonds or common or preferred stock of corporations organized under Federal laws or the laws of any State of the United States, or may invest in certificates of deposit or bonds issued by banks organized under Federal laws or the laws of The State of Alabama, provided, however, that not more than ten thousand dollars shall be invested in any one Federal Savings and Loan Association, or in any one corporation having Federal Savings and Loan Association's guarantee; and provided, further, that no funds shall be invested in bonds or common or preferred stock of private corporations unless such bonds or common or preferred stock are listed upon Exchanges subject to the jurisdiction of the Securities and Exchange Commission and the aggregate value of the funds invested in such bonds or stock of corporations last referred to above shall not exceed fifty per cent of all the funds available in the system for investments, nor shall the total investment in common or preferred stocks of such corporations exceed twenty-five percent (25%) of all the funds available in the system for investments.

Section 10. Legislative Reports.

In addition to periodic actuarial valuations of the Fund which the Board may from time to time require, the Board shall, prior to the first day of March of every uneven year, transmit to each member of the Alabama House of Representatives representing the County or any part thereof, and to each member of the Alabama Senate from every Senatorial District within the County an actuarial analysis of the System as of the end of the City's fiscal year immediately preceding, said report specifically answering the following questions:

(1) Are the contributions to the Fund sufficient to pay the benefits provided herein? If not, what additional contributions are necessary?

(2) Are the benefits provided herein sufficient in amount to consume the contributions required herein, or are they as large as to render the Fund insolvent; and in the event of the finding of either contingency, what adjustments should be made?

(3) What provision should be made either in contributions by employees or by the City to render the Fund solvent with respect to allowances made for prior service?

In addition to the foregoing, the Board of Managers shall transmit to said Representatives and Senators the following:

(1) A draft of such laws as the Board deems necessary to keep or make the Fund actuarially solvent, and of such laws as the Board believes would improve the Pension System; and

(2) A recital of the reasons for the recommendation of the proposed laws; detailed and specific recommendations as to what benefits should be reduced, or what additional contributions should be made, to the end that the Fund will be solvent, safe and sound for the protection of the employees covered thereby.

Section 11. Appeal of Decisions of the Board.

Any decision of the Board denying a benefit claimed may be subject to review by the Circuit Court, in the manner and subject to the limitations, herein provided. An employee may secure a review of such decision of the Board by mandamus proceedings in the Circuit Court, which he shall institute in said Court by filing therein a petition for mandamus. Said petition may designate the Board as respondent or the members thereof as respondents. Each respondent shall be served with process, unless such respondent or his or its attorney accepts service.

The petition for mandamus shall be barred if it is not filed within ninety (90) days from the date whereon the Board of Managers makes its final decision on the benefit claimed, provided written notice of such final decision of the Board shall be given by certified or registered mail, postage prepaid, and properly addressed, to the claimant or his attorney within ten (10) days after such final decision of the Board. If timely notice shall not be given as provided in the last preceding sentence, claimant shall not be barred from filing mandamus until the expiration of eighty (80) days from the mailing of notice as above provided; but in no event anything therein to the contrary notwithstanding shall said mandamus be filed after one year from the date of such final decision of the Board; provided further that no such final decision made by the said Board prior to January 1, 1969, shall be subject to review by mandamus or otherwise unless permitted by the law in effect at the time such decision was made and then only in the manner permitted by said law in effect on said date; provided further that any such final decision made by the Board after January 1, 1969, and prior to the effective date of this Act shall be governed by the eighty (80) day clause of the last preceding sentence, but in such case such mandamus proceeding shall not be filed after one year from the effective date of this Act.

In the proceedings in the Circuit Court any evidence relevant on any issue involved in the review shall be admissible, subject to the ordinary rules of evidence.

If the submission in the mandamus proceedings is solely upon the proceedings before the Board, the decision of the Board upon all matters of fact shall be final and conclusive, unless it affirmatively appears that its decision is plainly and manifestly wrong.

If in the Circuit Court evidence is received, in addition to that considered by the Board, the decision of the Board upon all matters of fact shall, nevertheless, be final and conclusive, except to the extent limited by the next following sentence. If the Circuit Court after hearing all the evidence offered determines that had the decision rendered by the Board been rendered after hearing all the such evidence that such decision would not have been manifestly wrong, then the circuit Court shall sustain the decision of the Board, and if the Circuit Court, after considering all the evidence, determines that the decision rendered by the Board would have been manifestly wrong had such decision been rendered after considering all the evidence considered by

the Circuit Court, then in that event the Circuit Court shall render the decision which that Court concludes would be rendered on all the evidence considered by that Court. The provision of Section 8 of ARTICLE VI prohibiting a resolution of the Board allowing an extraordinary disability benefit unless such resolution be passed within thirty-five (35) months after the accident resulting in disability shall not be construed to prohibit the Circuit Court in a mandamus proceeding from rendering a judgment in favor of the claimant in compliance with such judgment of the Circuit Court.

Section 12. Repeal and Amendment Reservation.

The Legislature reserves the power to amend, alter or repeal this act, provided, however, that if any person who may be entitled to voluntarily retire and obtain a retirement allowance under this act shall so voluntarily retire before exercise of said reserved power he shall have a contractual lien upon the Fund for each and every amount to which he may be or become entitled in accordance with the terms of the law existing at the time of such voluntary retirement, and provided further, that if any employee member becomes totally disabled before exercise of said reserved power, he shall have a contractual lien upon the Fund for each and every amount to which he may be or become entitled in accordance with the terms of the law existing at the time of commencement of such disability.

ARTICLE IV

ELIGIBILITY TO PARTICIPATE

Section 1. General Rule—Classified Service.

Each Qualified Employee of the City who is in the classified service including each Qualified Employee in the classified service of the police and fire departments shall be a participant in the System, except as provided in Section 2 of this Article.

Section 2. Exception to General Rule—Classified Service.

Anything herein to the contrary notwithstanding, no member of the pension system provided by the following legislation, if such legislation is applicable to the City, shall be a member of the system:

(a) The Policeman's Pension and Relief Plan provided by Act No. 502 of the 1923 Session of the Legislature of Alabama, as amended or codified;

(b) The Firemen's Pension and Relief Plan provided by Act No. 307 of the 1943 Session of the Legislature of Alabama, as amended (General Acts of Alabama of 1943, page 264);

(c) The Limited Policement's Retirement and Relief System provided by Act. No. 470 of the 1955 Regular Session of the Legislature of Alabama, as amended (Acts of Alabama of 1955, page 1067); and

(d) Limited Firemen's Pension and Relief System Provided by Act No. 217 of the 1966 Special Session of the Legislature of Alabama, as amended (Acts of Alabama, Special Session 1966, page 280).

Section 3. General Rule—Unclassified Service.

Each Qualified Employee of the City who is in the unclassified service shall be eligible to participate in the System provided he shall elect in writing

to so participate with forty-five (45) days of his first becoming a Qualified Employee in the unclassified service.

Section 4. Withdrawal from System—Classified Service.

A Participant in the System who is in the classified service shall continue to be a Participant without the right of withdrawal so long as he shall continue in the classified service. However should such Participant cease to be in the classified service, but be employed in the unclassified service, he shall have the right to, but shall not be required to, withdraw from the System by filing an election thereof in writing with the City Comptroller. In such event he shall be entitled to a refund of contributions as provided in Section 16 of ARTICLE VI hereof and shall lose all previously established pension credit under the system.

Section 5. Withdrawal from System—Unclassified Service.

A Participant in the System who is in the unclassified service shall have the right to withdraw from the System while remaining in the service by filing a written application for withdrawal with the City Comptroller. In such event, he shall be entitled to a refund from the System of an amount equal to the total of his contributions to the System less any and all benefits received from the System, his contributions to the System less any and all benefits received from the System, and said former Participant shall lose all previously established pension credit under the System and shall thereafter be ineligible to participate in the System while continuing in the unclassified service.

Section 6. Transfer from Unclassified to Classified.

A Participant transferring from the unclassified service as set forth in Section 5 of this ARTICLE IV and shall continue as a Participant in the System as though his total credited service under the System had been as a classified employee. In the event that a Qualified Employee in the unclassified service who is not a participant in the System shall transfer to the classified service, he shall not receive any pension credit for service subsequent to the Effective Date and prior to the date he became a Participant by virtue of the transferring to the classified service.

Section 7. Transfer of Member of Policemen's and Firemen's Pension and Relief Plan.

In the event of the transfer of a member of any of the Pension plans referred to in Section 2 of this Article IV to a department of the City other than the Police or Fire Department he shall become a Participant in the System, his credited service under said predecessor plan shall be counted as credited service under the System, and his contributions to said Plan subsequent to the Effective Date, plus the City's contributions thereto in his behalf, and shall be transferred to the fund of the System.

Section 8. Re-Employment.

In the event a Participant should cease to be a Participant hereunder, should elect a return of his contributions as provided in Section 16 of ARTICLE VI hereof and should be thereafter again become a Participant hereunder, he shall have the right to elect to have his previously credited service reinstated. Should he so elect, he shall be liable to the Fund for the amount of the contributions previously refunded to him and the City Comptroller shall deduct said liability from his salary in twenty (20) monthly installments of

an approximately equal amount including interest from the date of such refund of contributions at such rate as the Board shall from time to time determine. Alternatively, the City Comptroller shall be authorized to set such monthly installments, including interest as herein specified, over such lesser number of months as will provide for monthly installments of no less than Ten Dollars (\$10.00).

ARTICLE V PARTICIPANTS' AND CITY'S CONTRIBUTIONS

Section 1. Participants' Contributions.

Each Participant shall contribute to the cost of the System, and the City shall deduct from his salary an amount equal to eight per cent (8%) of his actual monthly salary and said deductions by the City shall immediately be paid into the Fund. Should the City through error, inadvertence or otherwise, neglect to make proper deduction from the salary of any employee member for any payroll period the employee member shall be liable to the fund for the amount or amounts that should have been deducted and shall pay said amount to the custodian on demand.

Section 2. City's Contributions.

At the same time the deductions attributable to Participants' contributions are paid into the Fund, the City shall pay into the Fund from its general or otherwise appropriate funds its current Service Cost and its Past Service Cost to be determined as of the date of the commencement of each fiscal year of City and maintain said system on an actuarially sound basis as follows:

- a. The actuaries shall determine the Normal Cost of the benefits provided by the System;
- b. From the Normal Cost shall be subtracted the value of the Participants' contributions in the previous Fiscal Year;
- c. The remainder thus arrived at shall be divided by the total covered payroll of all participants as of the first day of the Fiscal Year, the resultant percentage shall be called the "Current Service Percentage" and the Current Service Percentage shall be multiplied by the total covered payroll of all Participants at end of each Payroll Period to determine the City's "Current Service Cost" for the Payroll Period;
- d. The actuaries shall determine the single sum of unfunded Accrued Liability and shall amortize it from that date over a period of thirty (30) years.
- e. The unfunded Accrued Liability as amortized over thirty (30) years shall be divided by total covered payroll of all participants, the resultant percentage shall be called the "Past Service Percentage" and the Past Service Percentage shall be multiplied by the total covered payroll of all Participants at the end of each Payroll Period to determine the City's "Past Service Cost" for the Payroll Period.

Section 3. Contributions Previously Required.

Anything herein to the contrary notwithstanding, contributions of Participant and the City in effect immediately prior to the adoption of this amend-

tory Act shall continue to be deducted and paid into the Fund until such time as the percentages provided for in Section 2 of this Article V are determined as there required.

Section 4. New Participants—Credit for Service with county or Other Municipality.

In the event a Qualified Employee becoming a Participant herein on or after September 1, 1969 shall have prior thereto been employed by the County under the provisions of a merit system applicable to the County or any municipality in the County under the provision of the merit system applicable to such municipality, he may receive credit for said prior service by paying to the City Comptroller within sixty (60) days after becoming a participant an amount to be determined as follows:

a. There shall first be determined the salary paid said participant each month by the County or such municipality;

b. There shall then be computed the contribution which would have been deducted had such salary been paid by the City, said contribution and deduction being determined in accordance with the provisions of this Act on the date he became a Participant in the System;

c. There shall then be determined the total of interest at the rate of four per cent (4%) per annum on the deductions which would have been made from the date they would have been made had such salary been paid by the City to the date he became a participant in the System, and

d. The total of the deductions which would have been made plus interest at the rate of four percent (4%) per annum as both are determined in this Section 4, shall be the amount payable.

Section 5. Retirees of Firemen's and Policemen's Supplemental Pension System.

In the event of the retirement of a Policeman or a Fireman from a Supplemental Pension System, as established by Act No. 556 of the Legislature of Alabama of 1959, with twenty (20) or more but less than thirty (30) years of credited service under said System, this System shall receive from said Supplemental Pension System the monthly payments required to be paid from said System to this System from said policeman's or fireman's retirement date thereunder until the date he would have been entitled to retire under this system with thirty (30) years of credited service had he continued to serve without retiring and without interruption as a participant in this System. The City shall then match said contributions from its general fund or other appropriate funds making said matching contributions to the Fund within thirty (30) days from the date of receipt of those funds which are to be matched.

Section 6. Refund of Erroneous Contributions.

In the event contributions shall have been deducted from an employee who is not a participant herein and shall have been paid into the Fund, said deductions shall be refunded to said employee. Similarly, any contributions made to the Fund by the City on behalf of said non-participating employee shall be refunded to the City.

ARTICLE VI
BENEFITS

Section 1. Normal Retirement Benefit.

A Participant, having attained age sixty (60) or older and having completed fifteen (15) or more years of credited service, or having completed thirty (30) years or more of credited service without regard to age, shall be entitled upon his voluntary retirement to a monthly retirement benefit equal to one of the following:

a. Participants on or Before the first day of July Nine Years After Date of Establishment.

With respect to a Retiree who first became a Participant on or before the first day of July after nine years after date of establishment forty per cent (40%) of his Final Average Salary, plus one and three thousand three hundred thirty four thousandths (1.3334%) percent of his Final Average Salary multiplied by his years of credited service in excess of fifteen (15) years.

b. Participants after the first day of July Nine Years after Date of Establishment.

With respect to a Retiree who first became a Participant subsequent to the first day of July after nine years after date of establishment, two percent (2%) of his Final Average Salary multiplied by his years of credited service. Subject to the provisions of Section 19 of this Article VI, the amount of any retirement benefit provided under the provisions of this section which may have commenced to accrue in accordance with the provisions of the System shall continue to accrue throughout the life of the Retiree.

Section 2. Maximum Normal Retirement Benefit.

The maximum Normal Retirement Benefit payable under the preceding Section 1 shall be sixty percent (60%) of Final Average Salary.

Section 3. Participants with Less than Fifteen Years Service.

In the event a Participant with ten (10) or more but fewer than fifteen (15) years of credited service shall be terminated as a Qualified Employee subsequent to January 1, 1967 due to this having attained the age at which termination of his service as a Qualified Employee is mandatory under any law now or hereafter in effect, he shall be entitled to a monthly retirement benefit equal to two percent (2%) of his Final Average Salary multiplied by his years of credited service.

Section 4. Participants with More than Thirty years of Service.

Anything herein to the contrary notwithstanding, should a Participant retire hereunder with more than thirty (30) years of credited service, he shall be entitled to an additional monthly benefit equal to two percent (2%) of his Final Average Salary multiplied by his years of Credited Service which are in excess of Thirty (30) years, but in no case to exceed 70% of his Final Average Salary.

Section 5. Participants Retiring under the Fireman's and Policemen's Supplemental Pension System.

With respect to Participants who shall belong to and retire under the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama after having accumulated twenty (20) or more years of credited service thereunder but prior to his having accumulated thirty (30) years of credited service hereunder, benefits payable hereunder shall commence on the date on which he would have accumulated thirty (30) years of credited service hereunder had he not retired but rather had continued in his employment with the City, without interruption, as a fireman or policeman. The annual benefit thereupon payable herefrom shall be an amount equal to that which would have been payable under Section 1 of this Article VI had he not retired but rather had continued in his employment with the City, without interruption, as a fireman or policeman, provided, however, that for the purpose of computing said benefits, Final Average Salary shall be computed as of his actual retirement date from the service.

Section 6. Involuntary Retirement.

In the event a Participant shall be involuntarily retired after having completed twenty (20) or more years of credited service, he shall be entitled to a monthly retirement benefit equal to two percent (2%) of his Final Average Salary multiplied by his years of credited service provided however, that should said participant be involuntarily retired prior to attaining age sixty (60), his entitlement to said monthly retirement benefit, at his retirement date, shall additionally require that within sixty (60) days of said involuntary retirement the agency governing tenure of service of City employees certify in writing to the Board that such employee has not contributed by his own fault or misconduct to said separation from service. Should such certification not be made within the prescribed time, the monthly retirement benefit thus determined shall commence upon his attainment of age sixty (60). However, should he, prior to attaining age sixty (60) and prior to the commencement of his benefits, withdraw his own contributions to the System, he shall forfeit his right to said monthly retirement benefits.

Anything herein to the contrary notwithstanding, said monthly retirement benefit shall neither commence nor be payable during any period when such involuntarily retired Participant shall refuse or fail to accept employment by the City at a rate of compensation equal to that he was receiving at the time he was involuntarily retired or separated.

Section 7. Ordinary Disability Allowance.

In the event a Participant shall, after having accrued five (5) or more years of credited service, become totally disabled to perform his customary duties as an employee of the City and not be entitled to an extraordinary disability allowance, he shall in such event be entitled to a monthly ordinary disability allowance equal to two percent (2%) of his Final Average Salary multiplied by his years of credited service at the date of his disability.

Benefits payable hereunder shall commence upon the cessation of said disabled participant's drawing a salary from the City and shall continue until such time as said customary duties or substantially comparable duties.

The maximum ordinary disability allowance payable hereunder shall be two percent (2%) of Final Average Salary not to exceed 60% of Final Average Salary.

Anything herein to the contrary notwithstanding, an ordinary disability allowance shall be computed and paid throughout the continuance of such disability as provided and at the rate prescribed by the law in effect at the time of the commencement of such disability. If any disability beneficiary should become separated from the service and withdraw his contributions his right to continuance of disability benefits shall immediately cease.

Section 8. Extraordinary Disability Allowance.

In the event a Participant shall become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the Service and occurring at a definite time and place, then in the event such total disability shall continue until the Participant ceases to draw salary as an employee of the City such disabled participant shall be entitled to a monthly allowance from the Fund equal to seventy percent (70%) of his monthly salary at the time of the accident which resulted in such total disability.

Benefits payable hereunder shall commence upon the cessation of said disabled participant's drawing a salary from the City and shall continue until such time as such Participant is no longer disabled by such injury to perform his customary duties or substantially comparable duties. If, however, such disabled participant should, during the continuation of such disability, be separated from the service of the City and should said disability cease to exist, the Board may, in its discretion, continue him on the disability rolls until such time as in the judgment of the Board he is able to find suitable employment at a rate of pay equal or in excess of his disability allowance.

Application for an extraordinary disability allowance must be made within eighteen (18) months after the accident resulting in such disability and if granted shall be granted within eighteen (18) months after the accident resulting in such disability. Applications received thereafter shall not be considered and no extraordinary disability allowance shall be awarded with respect thereto.

Anything herein to the contrary notwithstanding, an extraordinary disability allowance heretofore or hereafter granted shall be computed and paid throughout the continuance of such disability as provided and at the rate prescribed by the law in effect at the time of the commencement of such disability. If any extraordinary disability beneficiary should become separated from the Service and withdraw his contributions his right to continuance of disability benefits shall immediately cease.

Section 9. Determination of Disability.

In order for disability allowances to be awarded under Section 7 or Section 8 of this ARTICLE VI, the Board must first have satisfactory proof thereof by the certification of such disability of the participant applying for disability of the participant applying for disability allowance, and said certification being made by a licensed and practicing physician or surgeon. Additionally, the Board shall have the power to require further certifications of such disability by other practicing physicians and surgeons and shall have the power to require such additional proof of total disability as in its judgment it may deem necessary.

During the continuation of disability, the Board may from time to time require further certification of disability by one or more licensed and practic-

ing physician or surgeon selected by the Board and may require such additional proof of the continuation of said disability as it deems appropriate.

Should a former Participant who has been awarded a disability allowance under Section 7 or Section 8 of this ARTICLE VI resume his active duty as an employee of the City, it shall be conclusive evidence of the termination of such total disability for the purpose of the System, and any subsequent cessation of his active duty on account of disability, whether by reason of the same or a different cause, shall be treated as a new disability. However, should a participant who shall have been awarded an extraordinary disability allowance under Section 8 hereof or is a claimant or prospective claimant therefor resume his active duty as an employee for a period not exceeding a total of one hundred eighty (180) days last ending no later than eighteen (18) months following the date of the accident which gave rise to the disability for which he was awarded an extraordinary disability allowance, such resumption of active duty as an employee of the City shall not be deemed to be conclusive evidence of termination of such disability; provided, however any provision hereby to the contrary notwithstanding, no extraordinary disability allowance shall be allowed unless granted within eighteen (18) months following the date of the accident which gave rise to the disability for which he was awarded an extraordinary disability allowance such resumption of active duty as an employee of the City shall not be deemed to be conclusive evidence of termination of such disability; provided, however, any provision hereof to the contrary notwithstanding, no extraordinary disability allowance shall be allowed unless granted within eighteen (18) months after the accident resulting in such disability.

In no event shall disability allowances as provided under Section 7 or Section 8 of this ARTICLE VI be payable with respect to any period of time during which the recipient of such allowances shall be actively employed by the City, shall be due or shall have been paid any salary from or by the City.

Section 10. Survivor's Benefit.

In the event of the death of a Retiree or Participant who, on the date of his death was eligible for voluntary retirement under Section 1 of this ARTICLE VI, there may be payable a monthly Survivor's Benefit equal to forty-five per cent (45%) of the monthly retirement benefit which said Retiree was receiving or was entitled to receive prior to his death or which said Participant would have been entitled to receive had he retired under Section 1 of this ARTICLE VI on the day preceding his death.

Section 11. Eligibility for Survivor's Benefit.

The surviving spouse of the deceased Retiree or Participant described in Section 10 of this ARTICLE VI shall be eligible to receive a Survivor's Benefit if they continue to be legally married on the date of the death of said deceased Retiree or Participant for at least two (2) consecutive years during which said deceased Retiree or Participant was employed in the service of the City. Further, said surviving spouse shall continue to be eligible to receive said monthly Survivor's Benefit until surviving spouse shall die or remarry.

In the event said deceased Retiree or Participant should not be survived by his spouse or in the event the spouse should fail to qualify hereunder, a Survivor's benefit shall be payable to the child or children of said deceased Retiree or Participant, provided, however, that no Survivor's Benefit shall be payable to such child if married or if over age eighteen (18).

Section 12. Service Connected Death Benefit.

Should a Participant be killed in the line of his duty, there may be payable to his spouse and child or children a Service Connected Death Benefit which shall be determined as follows:

(a) Spouse Benefit.

The surviving spouse shall receive a monthly benefit equal to forty percent (40%) of the monthly salary of the deceased participant and shall additionally receive an amount equal to ten percent (10%) of said salary for each eligible child of said deceased participant. However, in no event shall the monthly benefit payable to the spouse hereunder exceed fifty percent (50%) of the monthly salary of the deceased Participant.

(b) Child or Children Benefit.

Should there be no surviving spouse or should the surviving spouse fail to qualify hereunder, there shall be payable to or for the benefit of such deceased participant's child or children a monthly benefit equal to forty percent (40%) of the deceased participant's Monthly Salary.

(c) Deceased Participant's Monthly Salary.

For the purpose of this Section 12, the deceased participant's monthly salary shall mean his Final Average Salary except that with respect to a participant who should be killed in the line of service prior to having accumulated two (2) years of Credited Service hereunder, it shall mean his monthly salary as of the date of the injury which resulted in his death.

Section 13. Eligibility for Service Connected Death Benefit.

The surviving widow of the deceased Participant described in Section 11 of this Article shall be eligible to receive a Service Connected Death Benefit if they continued to be legally married on the date of the death of said deceased Participant. Further, said surviving spouse shall continue to be eligible to receive said monthly Service Connected Death Benefit until surviving spouse shall die or remarry.

Service Connected Death Benefits attributable or payable to or on behalf of said deceased Participant's child or children shall only be payable with respect to such child or children who are both unmarried and eighteen (18) years of age or under except that with respect to an unmarried child or children who shall continue to be a student regularly attending school, benefits shall continue to be payable until they attain age twenty-two (22).

Section 14. Firemen's and Policemen's Supplemental Pension System—Widow's Pension.

In the event a fireman or policeman shall retire under the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama after having accumulated twenty (20) years of credited service thereunder and shall die prior to the date on which he would have accumulated thirty (30) years of credited service under this System had he not retired but rather had he continued in his employment with the City, without interruption, as a fireman or policeman, his widow shall not receive any benefit therefrom. However, should said retired fireman or policeman die subsequent to the date on which he would have accumulated thirty (30) years of credited service

hereunder, and should he be survived by a widow to whom he was married for at least two (2) years while an active employee, said widow shall be entitled to receive until such time as she should remarry a monthly widows pension in an amount equal to forty-five percent (45%) of the monthly retirement benefit which her husband was receiving or entitled to receive on the date of his death as if such widow was entitled to a benefit under Sections 10 and 11 of this ARTICLE.

Section 15. Death Prior to Retirement—Return of Contributions.

In the event a participant shall die prior to retirement and without a surviving spouse or children eligible for benefits hereunder, there shall be payable an amount equal to his total contributions to the System, without interest, less an amount equal to one-half ($\frac{1}{2}$) of the total of all Disability Retirement benefits paid to said deceased Participant prior to his death.

Section 16. Termination of Employment or Ineligibility—Return of Contributions.

In the event a Participant shall terminate or be terminated from his employment with the City for any reason whatever, in the event a Participant shall cease to be eligible for participation herein or in the event a Participant herein shall cease to be a classified employee and shall elect to terminate his participation in the System, there shall be payable to said former Participant an amount equal to his total contributions to the System, without interest, less an amount equal to one-half ($\frac{1}{2}$) of the total of all disability retirement benefits paid to said former Participant; provided, however, that this section shall not require a return of contributions to an involuntary retiree who elects not to withdraw his contributions pursuant to Section 6 of the ARTICLE VI.

Section 17. Payment of Return of Contributions.

A return of contributions, as provided herein, shall be payable to said former participant, if living, and otherwise to his personal representative who may qualify as such and make demand for payment after death of such former Participant or if there be no such qualification and demand to his named beneficiary. In the event said former Participant shall have died and shall have not, while an active Participant in the System, designated a beneficiary in writing, said return of contributions shall be paid in the following order of preference:

- (1) To his Personal Representative if one qualifies and makes demand therefor after the death of such Participant;
- (2) To his surviving spouse;
- (3) To his surviving children in equal shares;
- (4) To his surviving parents in equal shares;
- (5) To his surviving brothers and sisters in equal shares.

Section 18. Designation of Severance Beneficiary.

The custodian shall keep a book or record in which any employee member may designate the name of a person to receive return of contributions made by him in the event of his death prior to commencement of accrual of a retirement allowance in his favor. Any such designation may be changed from time to time by the employee member. Each such designation shall be

signed and dated by the employee member, and the last signed and dated designation shall prevail over any former designation. The rights of the last designated severance nominee shall be governed by Section 17.

If a fireman or policeman has executed an instrument providing for the Board of Managers of the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, page 1376, et seq., to receive return of contributions made by him in the event of his death, then the right of the said Board of Managers to receive the return of said contributions shall prevail over the claim of the severance nominee, or spouse, or children, or father, or mother, or sisters or brothers or personal representative of such deceased fireman or policeman.

Section 19. Payment of Benefits During Period of Re-Employment.

Anything herein to the contrary notwithstanding, no retirement benefits of whatever kind or description shall be payable to any former Participant for any period during which said former Participant is employed by the City, is due a salary from the City or has been paid a salary by the City.

Section 20. Determination of Right to Benefits.

The determination of the rights of a Retiree to benefits or survivors to death or other benefits under this System shall be determined on the basis of the law governing the System which is in effect on the date of retirement of said Retiree or death of said Participant as the case may be and the right of any beneficiaries or contingent payees as herein provided shall be determined on the basis of the law governing this System which is in effect on the date of the death of the Retiree or Participant which gave rise to the rights of said beneficiary or contingent payee.

Section 21. Payment of Benefits to Minor Children.

In the event that benefits become payable hereunder to minor children, payments shall be made to the legal guardian of said minor children or, in the absence of a legal guardian, to the person who has custody of said children, provided, however, that the benefit shall be payable to the use and benefit of said children.

Section 22. Law Applicable to the Measurement of Benefits.

The rights of any person heretofore or hereafter retired shall continue to be measured and governed by the terms of the System in effect at the time of such retirement and should such person die during continuance of such retirement the right of the spouse, child or children of such deceased retired person and the rights of the spouse, child or children of any other deceased person or Participant shall be measured and governed by the terms of the System in effect the time of the death of such deceased person or Participant.

ARTICLE VII

PARTICIPANT LOANS

Section 1. Loans to Participants.

The Board will have the right to lend to any employee member from the fund such an amount of money as will not cause the aggregate of indebted-

ness of the employee member to the fund immediately after such loan to exceed fifty percent (50%) of the amount of contributions returnable to him, or those claiming under him, were he to become separated from the service immediately after such loan. Interest on such loan shall be charged at the rate of six percent per annum. Provided, however, that if an employee member is a fireman or policeman belonging to a Supplemental Pension System established by Act. No. 556 of the 1959 Session of the Legislature of Alabama, approved November 19, 1959 (Ala. Acts, 1959, p. 1376) the Board shall have the right to lend such employee member from the fund such an amount of money as will not cause the aggregate of indebtedness of such employee member to the fund immediately after such loan to exceed fifty percent (50%) of the aggregate amount of contributions returnable to him, or those claiming under him by provision of this Act and provision of said Act No. 556, were he to become separated from the service immediately after such loan.

Section 2. Repayment of Loan.

Any loan made to a Participant from the Fund pursuant to Section 1 of this ARTICLE VII shall be repayable in either monthly, quarterly, semi-annual or annual installments over a period not to exceed twenty-four (24) months from the date of issuance of such loan as the Board in its discretion may require and at an interest rate of six percent (6%) per annum.

Section 3. Life Insurance.

Should a Participant obtaining a loan hereunder request the Board to secure a policy of insurance on his life providing for the insurance company to repay the unpaid balance of said loan in the event of his death, the Board shall secure and make available such insurance, if obtainable, at the Participant's expense. In no event shall the amount of life insurance thus obtainable exceed the unpaid balance of the loan attributable to the Participant applying therefor.

ARTICLE VII

MISCELLANEOUS

Section 1. Liabilities of Employee Members to Fund.

Any debt or liability of a Participant to the Fund or to the City shall be offset against, and deducted from, any amount due from the Fund to the employee member or those claiming under him either as return of contributions or as disability or retirement payments, and only the balance, if any, shall be payable by the Fund.

Section 2. False Representations.

It shall be a misdemeanor, and punishable as such, for any Participant or beneficiary to knowingly make any false representation to the Board or to the Secretary of the Board or to the City Comptroller or the custodian or to any investigator or agent of the Board with respect to any matter pertaining to the administration of the System.

Section 3. Exemptions.

Neither all nor any portion of the Fund, whether in cash, securities or otherwise, nor any income or yield thereof, shall be subject to, or enacted on

account of, any tax. No retirement or disability allowance nor any amount payable thereunder shall be subject to assignment or to any process for the collection of debts, provided this shall not apply to assignments or debts to the Fund or to the City. Except with respect to the return of contributions provided shall be subject to assignment, and, subject to the provisions of Section 17 of ARTICLE VI in relation to payment to personal representatives, no liability of the Fund for return of contributions shall be subject to any process for the collection of debts.

Section 4. Members in Armed Forces.

If any participant, either before July 1, 1945, and after October 16, 1940, or after July 1, 1945, and prior to declaration by the Congress or President of the United States of termination of the unlimited national emergency declared by the President in his proclamation of May 27, 1941, shall have left the service for the purpose of entering the armed forces of the United States, after having been in the service for at least one year next before such leaving, and shall have left in the Fund all contributions made by him prior to such leaving, and shall have presumed a position of qualified employee in the service of the City within forty days after his separation from such armed forces, and in any event, within one year after declaration by the Congress or the President of the United States of termination of the unlimited national emergency declared by said President in said proclamation of May 27, 1941, and shall not have been dishonorably discharged from such armed forces then, and in all such events, the City shall promptly pay into the Fund an amount double that which the Participant would have contributed to the Fund from his salary had he continued in the service of the City as a Participant throughout the period between the time of so leaving the service and the time of resumption of position of the service at the same rate of pay he was receiving at the time he so left the service, and upon such payment into the Fund, the Participant shall be entitled to count as credited service the entire aforesaid period, provided, however, that if such Participant becomes disabled to perform his customary duties at any time within two years after such resumption of position, the amount of any benefits to which he might otherwise be entitled hereunder for any period shall be reduced by any amount paid or payable to him by the federal government for the same period, and provided further that no part of such payment by the City shall be returnable by the Fund under any provision of the System for return of contributions made by Participants. In order to extend the benefits of this Section to some "Korean Veterans" to whom such benefits would not otherwise extend, the unlimited national emergency declared by the President of the United States in his proclamation of May 27, 1941, shall, for the purposes of this Section, be deemed to have been by the Congress or the said President declared terminated at midnight, January 31, 1955, "as the date of termination of combatant activities" in the Korean Zone and also the time fixed by said President in Proclamation No. 3080, dated January 1, 1955, as a terminal time for various purposes in respect to service in the Armed Forces.

In order to extend the benefits of this Section to other veterans to whom such benefits would not otherwise extend, it is hereby provided that if any participant shall have left the service prior to April 20, 1954, for the purpose of serving in the armed forces of the United States after having been in the service of the City for at least one year next before leaving, and shall have entered such armed forces promptly after such leaving, and shall have left in the Fund all contributions made by him prior to such leaving, and shall have

resumed a position of Participant in the service within forty days after his separation from such armed forces, and in any event prior to the 21st day of May, 1956, and shall not have been dishonorably discharged from such armed forces, then and in all such events, the City shall promptly pay into the Fund an amount double that which the employee would have contributed to the Fund from his salary had he continued in the service as a Participant throughout the period between the time of so leaving the service and the time of resumption of position in the service at the same rate of pay he was receiving at the time he so left the service and, upon such payment into the Fund, the participant shall be entitled to count as credited service the entire aforesaid period, provided, however, that if such Participant becomes disabled to perform his customary duties at any time within two years after such resumption of position, the amount of any benefits to which he might otherwise be entitled hereunder for any period shall be reduced by any amount paid or payable to him by the federal government for the same period, and provided further that no part of such payment by the City shall be returnable by the Fund under any provision of the System for return of contributions made by Participants.

As hereafter used in this Section 4, the term "period of hostilities" means any period subsequent to April 20, 1954, when the United States was, is or shall be engaged in hostilities with any foreign state, whether as a result of a declared war or not. In order to further extend the benefits of this Section to other veterans to whom such benefits would not otherwise extend, it is hereby provided that if any participant shall have left the service subsequent to April 20, 1954, for the purpose of serving in the armed forces of the United States, during a period of hostilities, after having been in the service for at least one year next before such leaving and shall have entered such armed forces promptly after such leaving, and shall have left in the Fund all contributions made by him prior to such leaving, and shall have resumed a position of qualified employee in the service within forty days after his separation from such armed forces, and shall have not been dishonorably discharged from such armed forces, then in all such events the City shall promptly pay into the Fund an amount double that which the employee would have contributed to the Fund from his salary had he continued in the service and the time of resumption of position in the service at the same rate of pay he was receiving at the time he so left the service, and, upon such payment into the Fund, the Participant shall be entitled to count as credited service the entire aforesaid period, provided, however, that if such participant becomes disabled to perform his customary duties at any time within two years after such resumption of position, the amount of any benefits to which he might otherwise be entitled under Section 7 of ARTICLE VI for any period shall be reduced by any amount paid or payable to him by the federal government for the same period, and provided further that no part of such payment by the City shall be returnable to the Fund under any provision of the System for return of contributions made by participants.

Anything to the contrary contained in this Section notwithstanding, no participant who has entered into the Armed Forces of the United States subsequent to April 20, 1954, and who otherwise qualified for the benefits provided herein, shall be entitled to receive such benefits upon return to service unless he shall return to such service within five (5) years after having left such service to enter said Armed Forces.

ARTICLE IX
CONSTRUCTIVE SUBSIDIARIES
OF THE CITY

Section 1. Participants in the System.

It being recognized that it is desirable to allow us participants in the System employees of certain departments and authorities, the employees of the following such employers shall be included as constructive employees of the City and as participants in the System under the terms and conditions set forth herein subject only to any qualifications or limitations hereinafter provided.

Section 2. Board of Health.

Employees of the Board of Health shall be deemed constructively employees of the City during all their time in the service of said Board of Health, whether past, present or future and the retrospective and prospective terms of the System shall be retrospectively and propectively applied to such constructive employees as fully and restrictively, and with like effect as though said Board of Health were actually such subsidiary board of department at all times past, present and future, and as though employees thereof were actually employees of the City at all times while in the service of said Board of Health, past present or future. For the purposes of application of the terms of the System, such constructive employees of the City shall be deemed as in the classified service of the City during such period or periods, whether past, present or future, as they may be or may have been subject to the same civil service system as that to which employees of the City may be or may have been contemporaneously subject, and shall be governed accordingly by the retrospective and prospective provisions of the System. However, any such constructive employee who may or may have become an employee member after the Effective Date by virtue of Section 1, Article IV hereof shall be entitled to count as creditable time his prior service time as well as his paid membership time. In case of existence in the same county of two cities having a population of two hundred and fifty thousand or more inhabitants that one which first entered such population class shall be deemed the City referred to in this and he next succeeding four sections.

Section 3. Civic Center.

For the purpose of the application of the System to the extend herein provided, and for that purpose only, and except as may be otherwise or differently provided herein, the employment by Civic Center of employee members shall be deemed constructively employment by the City during all of their time in the service of Civic Center after the adoption of this Section 3, with like effect as though said employee members, while working for Civic Center, were actually working as employees of the City, subject to this pension system; provided, however, that this Section shall not apply unless all of the conditions hereinafter specified are met.

This section 3 shall not apply to any employee member unless within thirty days after he leaves the service of the City he is employed by Civic Center on a salary payable at regular specified intervals; any person employed by Civic Center on a part time basis before he leaves, or when he leaves, the service of the City shall be within the scope of the next foregoing sentence, if he continues in the employ of Civic Center.

This Section 3 shall not apply unless the employee members leaves in the System Fund the contributions made by him to the Fund.

This Section shall not apply unless, within the time below stated, Civic Center gives written notice to the Board of Managers that Civic Center elects for this said Section 3 of Article IX of this Act to apply to the employment of said employee member by Civic Center. This Section shall not apply unless the Board of Managers receives such notice within forty-five days of the employee member's leaving the service of the City; provided, however, that the said Board of Managers may in its discretion accept and treat as binding such notice received after that time, if the Board finds that delay in forwarding the notice was justified.

After giving any such notice, it shall be the duty of Civic Center to make or cause to be made and paid into the pension fund deductions from the salary of its employee who is the subject to such notice, and to do so in all respects as is provided by the System for the City to make deductions and pay into the Fund from salaries of its employees who are employee members, and it shall be the further duty of Civic Center to make matching contributions to the Fund from its own funds in respect to any employee who is the subject of any such notice, in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of Civic Center to fully cooperate with the Board of Managers, the City Comptroller and the Custodian in the administration of the System.

After the Board of Managers receives the said certificate from Civic Center, the election made by Civic Center for this Section to apply to the employee member named in the certificate shall be irrevocable.

Section 4. Civil Defense Agency.

For the purpose of application of terms of the System, and for such purpose only, and except as may be hereinafter otherwise or differently provided in this and Section 6 of this Article, on and after September 1, 1969, the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of the City shall be deemed constructively a subsidiary board or department of the City during said Civil Defense Agency's subsequent existence, and the employees thereof in the classified service shall be deemed constructively employees of the City during all their time in the service of said Civil Defense Agency subsequent to September 1, 1969, and thereafter the terms of the System shall be prospectively applied to such constructive employees as fully and restrictively, and with like effect, as though said Civil Defense Agency were actually such subsidiary board or department and as though employees thereof in the classified service were actually employees of the City at all times while in the service of said Civil Defense Agency subsequent to September 1, 1969.

Section 5. Duties of the Board of Health.

After July 1, 1945, it shall be the duty of the Board of Health, as an independent agency and not as a subsidiary board or department of the City, to make or cause to be made and paid into the Fund deductions from the salaries of all of its employees who are employee members, and to do so in all respects as is provided by the System for the City to make deductions and pay into the Fund from salaries of its employees who are employee members, and it shall be the further duty of the Board of Health, as such independent agen-

cy, to make matching contributions to the Fund from its own funds in respect of its employees who are employee members, in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of the Board of Health, as such independent agency, to fully cooperate with the Board of Managers, the City Comptroller and the Custodian in the administration of the System, and thereinabout, to make available to them all such records and information pertaining to employees of the Board of Health as they or either of them may request for the purpose of administration of the System.

Section 6. Duties of the Civil Defense Agency.

After September 1, 1969, it shall be the duty of said Civil Defense Agency, as an independent agency and not as a subsidiary board or department of the City, to make or cause to be made and paid into the Fund deductions from the salaries of all its employees who are employee members, and to do so in all respects as is provided by the System for the City to make deductions and pay into the Fund from salaries of its employees who are employee members, and it shall be the further duty of said Civil Defense Agency as such independent agency to make matching contributions to the Fund from its own funds in respect of its employees who are employee members in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of said Civil Defense Agency as such independent agency to fully cooperate with the Board of Managers, the City Comptroller and the Custodian in the administration of the System, and, thereinabout, to make available to them all such records and information pertaining to employees of Civil Defense as they or either of them may request for the purpose of administration of the System.

ARTICLE X

SEVERABILITY

Section 1. The provisions of this Act shall be severable. Should any Article, section or provision hereof be held invalid or unenforceable by a Court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remaining sections or provisions hereof.

Section 2. This Amendatory Act shall become effective on the first day of the calendar month next succeeding the calendar month in which this Act shall be approved by the Governor, or otherwise become a law.

And the substitute was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cross	Flippo
Bank	Carnes	Culver	Goodwin
Barkett	Casey	Dill	Grainger
Barron	Cauthen	Doss	Gray (F)
Bassett	Chesnut	Downing	Grey (D)
Benton	Collins	Easters	Hale
Boles	Connell	Ellis	Harris
Boutwell	Coshatt	Erdreich	Hill
Bowers	Crawford	Falkenburg	Hughes

REGULAR SESSION
28th Day

3071

King	Meeks	Reed (T)	Waggoner
Lang	Mims	Reynolds	Waldrop
Lutz	Naramore	St. John	Wallace
McDonald	O'Daniel	Slate	Warren
McMillan	Parker	Stokes	Weeks
McNair	Perloff	Therrell	Williams
Mathews	Porter	Turner	Wood
May			

—65

Mr. Wallace offered the following amendment to the bill, H. 620 as amended:

Amend Section 1 of ARTICLE V of H. 620 by deleting in the first sentence of said Section 1 the words and figures, "eight per cent (8%)" and substituting in lieu thereof the words and figures, "six per cent (6%)".

And the amendment was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Connell	Grey (D)	O'Daniel
Adams	Coshatt	Hale	Perloff
Bank	Crawford	Harris	Porter
Barkett	Cross	Hearn	Reed (T)
Barron	Culver	Hill	Reynolds
Bassett	Dill	Hughes	St. John
Benton	Downing	King	Slate
Boles	Easters	Lutz	Stokes
Boutwell	Ellis	McDonald	Therrell
Bowers	Erdreich	McMillan	Waggoner
Brassell	Falkenburg	McNair	Waldrop
Burgess	Fite	Mathews	Wallace
Carnes	Flippo	May	Weeks
Carter	Goodwin	Naramore	Williams
Chesnut	Grainger	Nettles	Wood
Collins	Gray (F)		

—62

And the bill:

H. 620. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the most recent federal decennial census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority to any county in which any such city may be located."

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Collins	Hale	Parker
Adams	Connell	Harris	Perloff
Bank	Coshatt	Hearn	Porter
Barkett	Crawford	Hill	Reed (T)
Barron	Cross	Hughes	Reynolds
Bassett	Culver	King	Roberts
Benton	Dill	Lutz	St. John
Boles	Downing	McCluskey	Slate
Boutwell	Easters	McDonald	Stokes
Bowers	Ellis	McMillan	Therrell
Brassell	Falkenburg	McNair	Waggoner
Burgess	Fite	Mathews	Waldrop
Carnes	Flippo	May	Wallace
Carter	Goodwin	Naramore	Weeks
Casey	Grainger	Nettles	Williams
Chesnut	Gray (F)	O'Daniel	Wood

—64

And the bill:

H. 1850. (With Amendments): To further amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, (Ala. Acts, 1965, page 717 et seq.), as heretofore amended, establishing a Pension System for officers and employees of Jefferson County, Alabama.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 1 of H. B. 1850 by deleting the following words and figures from said Section:

"Two percent (2%) of his basic average salary multiplied by the number of years of his paid membership time as shall not exceed thirty (30) years."

and substituting in lieu thereof the following words and figures:

"A one percent plus seven-eighths of one percent (1- $\frac{7}{8}$ %) of his basic average salary multiplied by the number of years of his paid membership time as shall not exceed thirty (30) years, provided, however, that the County governing body and the pension board may be concurrent action increase the percentage of the basic average salary above stated in this formula to two percent (2%) of the basic average salary; provided, further that the governing body of the County and the board base such action on competent actuarial advice."

AMENDMENT TABLED

On motion of Mr. Doss, the amendment #1 reported by the Standing Committee on Local Legislation No. 2 to the bill, H. 1850, was tabled.

REGULAR SESSION
28th Day

3073

Yeas 61; Nays 1.

Yeas:

Mr. Speaker	Collins	Hill	Nettles
Adams	Coshatt	Hughes	O'Daniel
Bank	Cross	Jones (F)	Parker
Barkett	Culver	King	Perloff
Barron	Doss	McBride	Porter
Bassett	Downing	McCluskey	Reed (T)
Benton	Easters	McDonald	Slate
Boles	Ellis	McMillan	Stewart
Boutwell	Falkenburg	McNair	Stokes
Bowers	Flippo	Mathews	Therrell
Brassell	Gafford	May	Turner
Burgess	Grainger	Meeks	Waggoner
Carnes	Hale	Merrill	Wallace
Carter	Harris	Mims	Weeks
Cauthen	Hearn	Naramore	Williams
Chesnut			—61

Nay: Mr. Gray (F).

—1

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Further amend Section 1 of H. B. 1850 by adding at the end of the following language,

"The pension payable under the foregoing formula shall be subject to the limitation that no member shall receive a pension at a rate exceeding sixty five percent (65%) of his basic average salary."

the following words and figures:

"When a member of the system has served such time as to entitle him to receive a pension in an amount equal to sixty five percent (65%) of his basic average salary thereafter there shall be no further salary deductions paid to the pension system fund, on his account, either in the form of salary deductions or in the form of matching contributions by the County. In the event there has heretofore been paid, or there shall hereafter be paid, to the pension fund any contributions for, or on account of, any member of the system for, or during, a period after he has served for such time as to entitle him to receive the maximum pension above provided for, then the contributions he has made to the pension system and the contributions the County has made to the pension system on his behalf, after he has served for the time entitling him to the said maximum pension, shall be returned to him and to the County respectively."

And the amendment was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brassell	Chesnut
Adams	Benton	Burgess	Collins
Bank	Boles	Carnes	Coshatt
Barkett	Boutwell	Carter	Cross
Barron	Bowers	Cauthen	Culver

28th Day

Doss	Harris	Mathews	Reynolds
Downing	Hearn	May	St. John
Easters	Hill	Meeks	Slate
Ellis	Hughes	Merrill	Stewart
Erdreich	Jones (F)	Naramore	Stokes
Falkenburg	King	Nettles	Therrell
Flippo	Lutz	O'Daniel	Turner
Gafford	McCluskey	Parker	Waggoner
Grainger	McDonald	Perloff	Wallace
Gray (F)	McMillan	Porter	Weeks
Hale	McNair	Reed (T)	Williams

—64

And the bill, H. 1850 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Harris	Nettles
Adams	Cottingham	Hearn	O'Daniel
Adwell	Crawford	Hill	Perloff
Bank	Cross	Hughes	Porter
Barkett	Culver	Jones (F)	Reed (T)
Barron	Doss	King	Reynolds
Bassett	Downing	Lutz	St. John
Benton	Easters	McCluskey	Slate
Boles	Ellis	McDonald	Stewart
Boutwell	Erdreich	McMillan	Stokes
Bowers	Falkenburg	McNair	Therrell
Brassell	Flippo	Mathews	Turner
Burgess	Gafford	May	Waggoner
Carnes	Goodwin	Meeks	Wallace
Carter	Grainger	Merrill	Warren
Cauthen	Gray (F)	Mims	Weeks
Chesnut	Gray (D)	Naramore	Williams
Connell	Hale		

—70

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Mathews, the rules were suspended in order to bring up out of order the bill, H. 1321.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Edwards	Jackson
Adams	Collins	Ellis	King
Bank	Connell	Falkenburg	Kinsey
Barkett	Coshatt	Flippo	Lutz
Barron	Cottingham	Gafford	McBride
Bassett	Crawford	Goodwin	McCluskey
Benton	Cross	Gray (F)	McCorquodale
Boles	Crowe	Gray (D)	McDonald
Boutwell	Culver	Hale	McMillan
Brassell	Dill	Harris	McNair
Burgess	Doss	Headley	Mathews
Carnes	Downing	Hearn	Meeks
Carter	Drake	Hill	Merrill
Cauthen	Easters	Hughes	Mims

REGULAR SESSION
28th Day

3075

Naramore	Reed (T)	Smith (P)	Waldrop
Nettles	Reid (R)	Stewart	Wallace
O'Daniel	Reynolds	Stokes	Warren
Owens	St. John	Therrell	Weeks
Perloff	Slate	Turner	Williams
Porter	Smith (K)	Waggoner	Wise
Pruitt			

—81

And the bill:

H. 1321. To make an appropriation for the payment of expenses of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Porter
Adams	Culver	Jones (F)	Pruitt
Barkett	Dill	King	Reed (T)
Barron	Downing	Kinsey	Reid (R)
Bassett	Easters	Lang	Reynolds
Benton	Edwards	Lutz	St. John
Boles	Ellis	McBride	Slate
Boutwell	Erdreich	McCluskey	Smith (K)
Brassell	Falkenburg	McCorquodale	Smith (P)
Burgess	Flippo	McDonald	Stewart
Carnes	Gafford	McMillan	Stokes
Carter	Goodwin	McNair	Therrell
Cauthen	Grainger	Mathews	Turner
Chesnut	Gray (F)	Meeks	Waggoner
Collins	Grey (D)	Merrill	Waldrop
Connell	Hale	Mims	Wallace
Coshatt	Harris	Naramore	Warren
Cottingham	Hearn	Nettles	Weeks
Crawford	Hill	O'Daniel	Williams
Cross	Hughes	Perloff	Wise

—80

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order.

And the bill:

H. 387. To increase available funds for the financing of residential housing for persons and families of low and moderate income through the creation of a public corporation of the State with public and corporate powers to be known as the Alabama Housing Development Corporation; defining its duties, powers, authorizing the purchase by the Alabama Housing Development Corporation of existing mortgages from "mortgage lenders" within the state and authorizing loans by the Alabama Housing Development Corporation to "mortgage lenders" within the state for the purpose of furnishing and providing funds for new residential mortgages for persons and families of low and moderate income; authorizing the issuance of bonds and notes of the corporation to assist in the financing of such housing and providing for the terms, security, payment and taxation thereof.

Was taken up.

Mr. King offered the following amendment to the bill, H. 387:

Amend Section 5, paragraph (g) to read as follows:

"Acquire real or personal property, or any interest therein, for its own use on a long-term basis; Acquire real or personal property or any interest therein, for its own use on a temporary basis for a reasonable period of time in its own name by gift, purchase, transfer, foreclosure, lease or otherwise, including rights or easements in property; to hold, sell, assign, lease, encumber, mortgage, or otherwise dispose of any real or personal property, or any interest therein, or mortgage interest owned by it or under its control, custody or in its possession and to release or relinquish any right, title, claim, lien, interest, easement or demand however acquired, including any equity or right of redemption in property foreclosed by it. Foreclosed properties may be sold by public or private sale, with or without public bidding, notwithstanding the provisions of any other law".

And the amendment was adopted.

Yeas 69; Nays 3.

Yeas:

Mr. Speaker	Downing	Kinsey	Reed (T)
Adams	Edwards	Lang	Reid (R)
Agee	Ellis	Lutz	Reynolds
Barron	Falkenburg	McBride	Roberts
Benton	Flippo	McCluskey	Robertson
Boles	Gafford	McDonald	St. John
Boutwell	Goodwin	McMillan	Smith (K)
Bowers	Grainger	McNair	Snell
Brassell	Grey (D)	Manley	Stewart
Carnes	Hale	Meeks	Stokes
Carter	Harris	Mims	Stubbs
Casey	Headley	Naramore	Therrell
Cauthen	Hearn	Nettles	Turner
Chesnut	Hill	O'Daniel	Waggoner
Coshatt	Hughes	Owens	Waldrop
Cross	Jackson	Porter	Weeks
Dill	King	Pruitt	Williams
Doss			

—69

Nays: Messrs. Cottingham, Crawford and Perloff.

—3

Mr. McCorquodale offered the following amendment #1 to the bill, H. 387 as amended:

Amend House Bill 387 in Section 4, by deleting the following: "and the exercise by the Corporation of the powers conferred by this Act shall be deemed and held to be the performance of an essential governmental function of the State"

And the amendment was lost.

Yeas 32; Nays 42.

Yeas:

Mr. Speaker	Benton	Burgess	Collins
Adams	Boles	Callahan	Connell
Agee	Brassell	Chesnut	Cottingham

REGULAR SESSION
28th Day

3077

Crawford	Grey (D)	McCorquodale	Snell
Crowe	Hale	Naramore	Therrell
Downing	Harris	Nettles	Turner
Easters	Jones (F)	Porter	Warren
Edwards	Kinsey	Pruitt	Wise

—32

Nays:

Messrs.:	Ellis	McBride	St. John
Adwell	Erdreich	McCluskey	Slate
Bank	Falkenburg	McMillan	Stewart
Boutwell	Goodwin	McNair	Stokes
Carnes	Grainger	O'Daniel	Stubbs
Carter	Gray (F)	Owens	Waggoner
Casey	Headley	Perloff	Waldrop
Cauthen	Hearn	Reid (R)	Williams
Coshatt	Hughes	Reynolds	Wallace
Cross	King	Roberts	Wynot
Dill	Lutz	Robertson	

—42

UNANIMOUS CONSENT GRANTED

At the request of Mr. Headley, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 387.

Mr. McCorquodale offered the following amendment #2 to the bill, H. 387 as amended:

Amend House Bill 387 in Section 4, by deleting the last sentence in the second paragraph which reads: "This Act shall be liberally construed in conformity with the purpose expressed."

And the amendment was adopted.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker	Cross	Kinsey	Reid (R)
Adams	Crowe	Lutz	Reynolds
Agee	Culver	McBride	Roberts
Bank	Dill	McCorquodale	Robertson
Barkett	Downing	McDonald	St. John
Benton	Easters	McMillan	Slate
Boles	Edwards	Mathews	Smith (K)
Boutwell	Ellis	May	Snell
Bowers	Erdreich	Meeks	Stewart
Brassell	Fite	Merrill	Stokes
Burgess	Flippo	Mims	Stubbs
Carnes	Goodwin	Naramore	Therrell
Carter	Grainger	Nettles	Turner
Casey	Gray (F)	O'Daniel	Waggoner
Chesnut	Grey (D)	Owens	Waldrop
Collins	Harris	Parker	Wallace
Connell	Headley	Perloff	Warren
Coshatt	Hughes	Porter	Williams
Cottingham	Jones (F)	Pruitt	Wynot
Crawford	King		

—78

Nay: Mr. McCluskey.

—1

Mr. McCorquodale offered the following amendment #3 to the bill, H. 387 as amended:

Amend House Bill 387, Section 4, sub-section (a) delete the words "three from the public at large" and substitute therefor the words "six from the public at large".

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reid (R)
Adams	Crowe	Jones (F)	Roberts
Agee	Culver	King	Robertson
Bank	Dill	Kinsey	St. John
Barkett	Downing	Lutz	Slate
Benton	Drake	McBride	Smith (K)
Boles	Easters	McCorquodale	Snell
Boutwell	Edwards	McDonald	Stewart
Bowers	Ellis	McNair	Stokes
Brassell	Erdreich	May	Stubbs
Burgess	Fite	Merrill	Therrell
Carnes	Flippo	Mims	Turner
Carter	Goodwin	Nettles	Turnham
Casey	Grainger	O'Daniel	Waggoner
Chesnut	Grey (D)	Owens	Waldrop
Collins	Harris	Parker	Wallace
Connell	Headley	Perloff	Warren
Coshatt	Hearn	Porter	Williams
Cottingham	Hughes	Pruitt	Wynot
Crawford			

—77

Mr. King offered the following amendment #2 to the bill, H. 387 as amended:

Amend H. B. 387 Section 4 (a) first sentence to read "The powers of the corporation shall be vested in twelve commissioners"—the balance of the sentence shall remain the same.

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Casey	Easters	Jackson
Adams	Chesnut	Edwards	Jones (F)
Agee	Collins	Ellis	King
Bank	Connell	Erdreich	Kinsey
Barkett	Coshatt	Fite	Lutz
Benton	Cottingham	Flippo	McBride
Boles	Crawford	Goodwin	McCluskey
Boutwell	Cross	Grainger	McCorquodale
Bowers	Crowe	Gray (F)	McDonald
Brassell	Culver	Grey (D)	McMillan
Burgess	Dill	Harris	McNair
Callahan	Doss	Headley	Mathews
Carnes	Downing	Hearn	May
Carter	Drake	Hughes	Meeks

REGULAR SESSION
28th Day

3079

Merrill	Porter	Snell	Waggoner
Mims	Pruitt	Stewart	Waldrop
Naramore	Reid (R)	Stokes	Wallace
Nettles	Roberts	Stubbs	Warren
O'Daniel	Robertson	Therrell	Williams
Owens	St. John	Turner	Wynot
Perloff	Smith (K)	Turnham	

—83

Mr. McCorquodale offered the following amendment #4 to the bill, H. 387 as amended:

Amend House Bill 387, Section 5, sub-section (g), by deleting the words "or without" in the next to the last phrase.

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Pruitt
Adams	Dill	King	Reid (R)
Agee	Doss	Kinsey	Reynolds
Bank	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Benton	Easters	McCluskey	Slate
Boles	Edwards	McCorquodale	Smith (K)
Boutwell	Ellis	McDonald	Snell
Bowers	Fite	McMillan	Stokes
Brassell	Flippo	McNair	Stubbs
Burgess	Goodwin	Mathews	Therrell
Carnes	Grainger	May	Turner
Carter	Gray (F)	Meeks	Turnham
Chesnut	Grey (D)	Merrill	Waggoner
Collins	Hale	Naramore	Waldrop
Connell	Harris	O'Daniel	Wallace
Coshatt	Headley	Owens	Warren
Cottingham	Hearn	Perloff	Williams
Crawford	Hughes	Porter	Wynot
Cross	Jackson		

—78

Mr. McCorquodale offered the following amendment #5 to the bill, H. 387 as amended:

Amend House Bill 387, Section 5, sub-section (1), by deleting all of the words after the words "moderate income".

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cross	Flippo
Agee	Carnes	Culver	Goodwin
Bank	Carter	Dill	Grainger
Barkett	Chesnut	Doss	Gray (F)
Benton	Collins	Downing	Hale
Boles	Connell	Easters	Harris
Boutwell	Coshatt	Ellis	Headley
Bowers	Cottingham	Falkenburg	Hearn
Brassell	Crawford	Fite	Hughes

Jackson	Mathews	Pruitt	Turnham
Jones (F)	May	Reynolds	Waggoner
King	Meeks	St. John	Waldrop
Kinsey	Merrill	Smith (K)	Wallace
Lutz	Mims	Snell	Warren
McBride	Naramore	Stokes	Williams
McCluskey	Owens	Stubbs	Wood
McCorquodale	Perloff	Therrell	Wynot
McMillan	Porter	Turner	

—71

Mr. McCorquodale offered the following amendment #6 to the bill, H. 387 as amended:

Amend House Bill 387, Section 5, by deleting sub-section (v) in its entirety.

And the amendment was adopted.

Yeas 80; Nays 4.

Yeas:

Mr. Speaker	Cottingham	Hughes	Reynolds
Adams	Crawford	Jackson	Robertson
Agee	Cross	Jones (F)	St. John
Bank	Culver	King	Slate
Barkett	Dill	Kinsey	Smith (K)
Barron	Doss	Lutz	Snell
Benton	Drake	McBride	Stewart
Boles	Easters	McCorquodale	Stokes
Boutwell	Edwards	McDonald	Stubbs
Bowers	Ellis	McMillan	Therrell
Brassell	Erdreich	Mathews	Turner
Burgess	Falkenburg	May	Turnham
Callahan	Fite	Merrill	Waggoner
Carnes	Flipppo	Mims	Waldrop
Carter	Goodwin	Naramore	Wallace
Casey	Grainger	O'Daniel	Warren
Chesnut	Gray (F)	Owens	Weeks
Collins	Hale	Parker	Williams
Connell	Headley	Porter	Wood
Coshatt	Hearn	Pruitt	Wynot

—80

Nays:

Messrs.:	McCluskey	Meeks	Nettles
Downing			

—4

Mr. McCorquodale offered the following amendment #7 to the bill, H. 387 as amended:

Amend House Bill 387, Section 9, sub-section (4), in the third sentence delete the words "the Governor shall" and insert in lieu thereof the words "the Governor may".

Yeas 43; Nays 35.

Yeas:

Mr. Speaker	Barron	Brassell	Collins
Adams	Benton	Callahan	Connell
Agee	Boles	Carnes	Cottingham
Barkett	Bowers	Chesnut	Crawford

REGULAR SESSION

3081

28th Day

Crowe	Hale	Naramore	Smith (K)
Culver	Harris	Nettles	Stubbs
Downing	Hearn	Owens	Turnham
Drake	Jackson	Parker	Warren
Easters	McCorquodale	Pruitt	Williams
Edwards	Mathews	Reynolds	Wise
Fite	Mims	St. John	

—43

Nays:

Messrs.:	Falkenburg	King	Robertson
Adwell	Flippo	Lang	Stewart
Bank	Gafford	Lutz	Therrell
Boutwell	Goodwin	McBride	Turner
Casey	Grainger	McDonald	Waggoner
Coshatt	Gray (F)	McMillan	Waldrop
Doss	Headley	McNair	Weeks
Ellis	Hill	Meeks	Wood
Erdreich	Hughes	Perloff	Wynot

—35

Mr. McCorquodale offered the following amendment #8 to the bill, H. 387 as amended:

Amend House Bill 387, Section 9, sub-section (5), in the last sentence of the first paragraph, by deleting the words "there shall be apportioned" and inserting in lieu thereof the words "there may be apportioned".

And the amendment was adopted.

Yeas 74; Nays 3.

Yeas:

Mr. Speaker	Doss	King	Reid (R)
Agee	Downing	Kinsey	Reynolds
Bank	Drake	Lang	Roberts
Barkett	Easters	Lutz	St. John
Barron	Edwards	McBride	Smith (K)
Benton	Ellis	McCorquodale	Stokes
Boles	Erdreich	McDonald	Stubbs
Bowers	Fite	McNair	Turner
Brassell	Flippo	Manley	Turnham
Callahan	Gafford	May	Waggoner
Carnes	Goodwin	Mims	Waldrop
Carter	Grainger	Naramore	Wallace
Chesnut	Gray (F)	Nettles	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Cottingham	Hearn	Perloff	Wise
Crawford	Hill	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Culver	Jackson		

—74

Nays: Messrs. Burgess, McCluskey and Meeks. —3

Mr. McCorquodale offered the following amendment #9 to the bill, H. 387 as amended:

Amend House Bill 387 by deleting Section 21 in its entirety and renumbering subsequent sections accordingly.

Yeas 73; Nays 2.

Yeas:

Mr. Speaker	Cross	Jackson	Pruitt
Agee	Culver	King	Reid (R)
Bank	Dill	Kinsey	Reynolds
Barkett	Downing	Lutz	Robertson
Barron	Easters	McBride	St. John
Benton	Edwards	McCorquodale	Smith (K)
Boles	Ellis	McDonald	Stubbs
Boutwell	Erdreich	McNair	Turner
Bowers	Fite	Manley	Turnham
Brassell	Flippo	May	Waggoner
Callahan	Gafford	Merrill	Waldrop
Carnes	Goodwin	Mims	Wallace
Carter	Grainger	Naramore	Warren
Casey	Gray (F)	Nettles	Weeks
Chesnut	Hale	Owens	Williams
Collins	Headley	Parker	Wise
Connell	Hearn	Perloff	Wood
Coshatt	Hughes	Porter	Wynot
Crawford			

—73

Nays: Messrs. Burgess and McCluskey.

—2

UNANIMOUS CONSENT GRANTED

At the request of Mr. Gray (F), unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 387.

RECESS

On motion of Mr. Robertson, the House recessed for fifteen minutes.

Yeas 44; Nays 43.

Yeas:

Mr. Speaker	Connell	Goodwin	Mims
Agee	Cross	Grey (D)	Parker
Bank	Crowe	Hale	Reynolds
Barron	Culver	Harris	Roberts
Boles	Doss	Hughes	Robertson
Boutwell	Downing	Jackson	Smith (K)
Bowers	Easters	King	Stubbs
Burgess	Edwards	Lutz	Turner
Carnes	Falkenburg	McCluskey	Waggoner
Carter	Fite	McCorquodale	Warren
Collins	Flippo	Manley	Wynot

—44

Nays:

Messrs.:	Cottingham	Hardin	May
Adams	Crawford	Headley	Meeks
Barkett	Dill	Hearn	Merrill
Benton	Drake	Jones (F)	Naramore
Brassell	Erdreich	Kinsey	Nettles
Cauthen	Gafford	McMillan	O'Daniel
Chesnut	Grainger	McNair	Owens
Coshatt	Gray (F)	Mathews	Perloff

REGULAR SESSION
28th Day

3083

Porter
Pruitt
Reid (R)

St. John
Stewart
Stokes

Therrell
Waldrop
Wallace

Weeks
Williams
Wood

—43

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 179. Relating to counties having a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

S. 288. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of all deputies employed in the sheriff's department and for the compensation of the chief deputy.

Also:

S. 289. To amend Section 1 of Act No. 121, H. 22, Regular Session 1971 (Acts 1971, p. 204), which act fixes the fee for the issuance of pistol permits by the sheriff and for the disposition and use of such fees in certain counties classified on a population basis.

Also:

S. 290. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of circuit court bailiffs.

Also:

S. 294. To amend Section 28E of Act No. 91, H. 22, 1969 Special Session, (Acts 1969, p. 135) which relates to the capital outlay appropriation in the amount of \$100,000.00 granted to every school board within the State of Alabama, so as to authorize any school board in Marengo County to expend such funds for any educational purpose they desire; to make the provisions of this Act retroactive.

Also:

S. 388. Relating to Choctaw County; providing for the payment to the Judge of Probate or Juvenile Court Judge of Choctaw County for expenses of attending conferences of Judges of Probate or Juvenile Court Judges.

Also:

S. 389. Relating to Choctaw County; providing the authority for the Judge of Probate, Choctaw County, Alabama to appoint his deputies or clerks to solemnize matrimony.

Also:

S. 476. To regulate further the compensation of the associate members and chairman of the Choctaw County Commission; to repeal conflicting laws and to repeal specifically the following laws and all amendments thereto: Act No. 164, S. 361, 1971 Regular Session (Acts 1971, p. 2511); Act No. 317, H. 716, Regular Session 1963 (Acts 1963, p. 796); and Act No. 307, H. 734, Regular Session 1949 (Acts 1949, p. 440); and to provide for the effective date of this act.

Also:

S. 477. Relating to Choctaw County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Also:

S. 478. To provide that the Sheriff of Choctaw County, Alabama, may collect and retain the fees and allowances allowed under law for feeding prisoners.

Also:

S. 479. Relating to Choctaw County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the Probate Judge to the Tax Collector; relieving the Probate Judge of such duties; and repealing conflicting Acts.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 267. Relating to DeKalb County to authorize and regulate the issuance in DeKalb County of motor vehicle license tags by mail.

Also:

S. J. R. 53. Commending the Alabama YMC Youth Legislature on its 25th anniversary.

REGULAR SESSION
28th Day

3085

Also:

S. J. R. 80. Urging the United States Interior Department to open federal lands off the Alabama coast for bidding for purposes of exporting for oil and natural gas.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MOTION TO ADJOURN LOST

The motion offered by Mr. Crawford that the House adjourn until 12:00 o'clock noon, Tuesday, August 14, 1973, was lost.

H. 387 RESUMED

MOTION TO POSTPONE TABLED

On motion of Mr. King, the motion offered by Mr. Adams to postpone the bill, H. 387 to the twenty-ninth legislative day, was tabled.

Yeas 58; Nays 28.

Yeas:

Messrs.:	Edwards	Lutz	Slate
Adwell	Ellis	McBride	Smith (K)
Bank	Erdreich	McMillan	Smith (P)
Benton	Falkenburg	McNair	Stewart
Boutwell	Flippo	May	Stokes
Callahan	Goodwin	Naramore	Stubbs
Carnes	Grainger	O'Daniel	Therrell
Casey	Gray (F)	Owens	Turner
Chesnut	Hale	Perloff	Waggoner
Coshatt	Headley	Porter	Waldrop
Culver	Hearn	Reed (T)	Wallace
Dill	Hill	Reid (R)	Weeks
Doss	King	Reynolds	Williams
Drake	Kinsey	Roberts	Wynot
Easters	Lang	Robertson	

—58

Nays:

Mr. Speaker	Cauthen	Jackson	Pruitt
Adams	Connell	McCorquodale	St. John
Agee	Crawford	McDonald	Snell
Barkett	Downing	Manley	Turnham
Barron	Fite	Mathews	Warren
Brassell	Grey (D)	Mims	Wise
Carter	Hughes	Nettles	Wood

—28

And the bill, H. 387 as thus amended, was read a third time at length and passed.

Yeas 65; Nays 26.

Yeas:

Messrs.:	Easters	Lutz	Reynolds
Agee	Edwards	McBride	Roberts
Bank	Ellis	McCluskey	Robertson
Barron	Erdreich	McDonald	Smith (K)
Boles	Falkenburg	McMillan	Smith (P)
Boutwell	Flippo	McNair	Stewart
Callahan	Goodwin	May	Stokes
Carnes	Grainger	Merrill	Stubbs
Carter	Gray (F)	Naramore	Therrell
Casey	Grey (D)	O'Daniel	Turner
Chesnut	Hale	Owens	Waggoner
Connell	Headley	Perloff	Waldrop
Coshatt	Hearn	Porter	Wallace
Cross	Hill	Pruitt	Weeks
Crowe	Hughes	Reed (T)	Williams
Dill	King	Reid (R)	Wood
Drake	Lang		

—65

Nays:

Mr. Speaker	Cottingham	Jackson	St. John
Adams	Crawford	Jones (F)	Slate
Barkett	Culver	McCorquodale	Snell
Benton	Doss	Manley	Turnham
Brassell	Downing	Mathews	Warren
Burgess	Fite	Nettles	Wise
Cauthen	Harris		

—26

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Drake, the rules were suspended in order to bring up out of order the bill, H. 1540.

Yeas 74; Nays 5.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reynolds
Bank	Doss	King	Robertson
Barkett	Downing	Kinsey	St. John
Barron	Drake	Lang	Slate
Benton	Easters	McBride	Smith (K)
Boles	Edwards	McCluskey	Smith (P)
Boutwell	Ellis	McCorquodale	Snell
Brassell	Erdreich	McDonald	Stewart
Burgess	Fite	McMillan	Stokes
Callahan	Goodwin	McNair	Stubbs
Carnes	Grainger	Mathews	Turner
Casey	Gray (F)	Merrill	Waggoner
Chesnut	Grey (D)	Mims	Waldrop
Connell	Hale	Naramore	Weeks
Coshatt	Harris	Owens	Williams
Cottingham	Headley	Parker	Wise
Crawford	Hearn	Porter	Wynot
Cross	Hughes		

—74

Nays:

Messrs.:	Dill	Manley	Nettles
Cauthen	Lutz		

—5

REGULAR SESSION
28th Day

3087

And the bill:

H. 1540. To further amend Section 1 of Act 384, Regular Session 1965, (Acts 1965, p. 517), to levy an excise tax on the storage, use or other consumption in this state of certain tangible personal property purchased at retail, in lieu of the state use tax levied by Code 1940, Title 51, Section 788, as amended, and to provide for the enforcement and collection of such tax.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker	Doss	Jackson	Reed (T)
Agee	Downing	Jones (F)	Reynolds
Bank	Drake	King	Roberts
Barkett	Easters	Kinsey	Robertson
Benton	Edwards	Lang	St. John
Boles	Ellis	Lutz	Slate
Boutwell	Erdreich	McBride	Smith (K)
Brassell	Falkenburg	McCluskey	Smith (P)
Burgess	Fite	McDonald	Snell
Carnes	Flippo	McMillan	Stokes
Casey	Goodwin	McNair	Stubbs
Cauthen	Grainger	Mathews	Turner
Chesnut	Gray (F)	May	Waggoner
Connell	Grey (D)	Meeks	Waldrop
Coshatt	Hale	Mims	Warren
Cottingham	Harris	Naramore	Weeks
Crawford	Headley	Owens	Williams
Cross	Hearn	Parker	Wise
Culver	Hill	Porter	Wynot
Dill	Hughes	Pruitt	—79
Nay:	Mr. Nettles.		—1

SPECIAL ORDER RESUMED

And the bill:

H. 1541. To further amend Section 1 of Act 383, H. 57, Regular Session 1965, (Acts 1965, p. 516), relating to the tax levied on farm machinery and equipment sold for agricultural purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker	Brassell	Connell	Downing
Adams	Burgess	Coshatt	Drake
Bank	Callahan	Cottingham	Easters
Barkett	Carnes	Crawford	Edwards
Barron	Carter	Cross	Ellis
Benton	Casey	Crowe	Falkenburg
Boles	Chesnut	Dill	Fite
Boutwell	Collins	Doss	Flippo

28th Day

Goodwin	Lang	Naramore	Smith (P)
Grainger	Lutz	Nettles	Snell
Gray (F)	McBride	O'Daniel	Stokes
Grey (D)	McCluskey	Owens	Stubbs
Hale	McCorquodale	Parker	Therrell
Harris	McDonald	Porter	Turner
Headley	McMillan	Pruitt	Waggoner
Hill	McNair	Reed (T)	Waldrop
Hughes	Manley	Reynolds	Warren
Jackson	Mathews	Roberts	Weeks
Jones (F)	May	Robertson	Williams
King	Meeks	St. John	Wise
Kinsey	Mims	Smith (K)	—83
Nay:	Mr. Erdreich.		—1

And the bill:

H. 1137. To amend Section 1 of Act No. 648, S. 518, Regular Session 1949, Acts 1949, p. 991, as amended.

This bill does not affect state revenue.

Was taken up.

Mr. Stewart offered the following amendment to the bill:

Also, amend H. B. 1137, Section 1, Paragraph 4, Line 22 by striking the words: "(i) office facilities designed for use by any such industry or enterprise not only in connection with its operation in this state, but also for use by it as national, regional or divisional offices in the management and supervision of its manufacturing, processing, assembling, storing, warehousing, distributing, selling or research operations, wherever located,".

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Stewart to the bill, H. 1137, was tabled.

Yeas 45; Nays 19.

Yeas:

Mr. Speaker	Downing	McCluskey	Pruitt
Agee	Easters	McCorquodale	St. John
Barkett	Fite	McDonald	Stubbs
Boutwell	Gray (F)	McMillan	Therrell
Carnes	Harris	Manley	Turner
Chesnut	Headley	Mims	Waggoner
Collins	Hearn	Nettles	Wallace
Connell	Jackson	Owens	Warren
Coshatt	Kinsey	Parker	Williams
Cottingham	Lang	Perloff	Wise
Crawford	McBride	Porter	Wynot
Dill			—45

Nays:

Messrs.:	Crowe	Grainger	Slate
Barron	Doss	Hale	Smith (K)
Burgess	Erdreich	Jones (E)	Stewart
Casey	Falkenburg	McNair	Stokes
Cauthen	Flippo	Roberts	Waldrop
			—19

REGULAR SESSION
28th Day

3089

And the bill, H. 1137, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 8.

Yeas:

Mr. Speaker	Downing	Jackson	Parker
Adams	Drake	Jones (F)	Perloff
Agee	Easters	King	Porter
Barkett	Edwards	Kinsey	Pruitt
Barron	Erdreich	Lang	Reed (T)
Benton	Falkenburg	Lutz	Reynolds
Boles	Fite	McBride	St. John
Boutwell	Flippo	McCluskey	Smith (P)
Brassell	Gafford	McCorquodale	Stubbs
Callahan	Goodwin	McDonald	Therrell
Carnes	Grainger	McMillan	Turner
Casey	Gray (F)	Manley	Waggoner
Chesnut	Grey (D)	Mathews	Wallace
Collins	Hale	May	Warren
Connell	Harris	Mims	Weeks
Coshatt	Headley	Naramore	Williams
Cottingham	Hearn	Nettles	Wise
Crawford	Hill	Owens	Wynot
Dill	Hughes		

—74

Nays:

Messrs.:	McNair	Smith (K)	Stokes
Cauthen	Roberts	Stewart	Waldrop
Crowe			

—8

And the bill:

H. 1151. (With Amendment): Providing for the licensing of insurance premium finance companies; imposing powers and duties on the Commissioner of Insurance; providing for regulation of such companies in the rates and charges permissible and penalties for violations of this Act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Insurance, said Committee amendment being as follows:

Amend House Bill 1151 by adding at the end of Section 3-b the following:

“and the same is hereby appropriated for its use”

AMENDMENT TABLED

On motion of Mr. Headley, the amendment reported by the Standing Committee on Insurance to the bill, H. 1151, was tabled.

Yeas 61; Nays 6.

Yeas:

Mr. Speaker	Barron	Burgess	Casey
Agee	Benton	Callahan	Connell
Barkett	Boutwell	Carnes	Coshatt

28th Day

Cottingham	Grainger	McDonald	St. John
Crowe	Gray (F)	McMillan	Slate
Culver	Grey (D)	Manley	Smith (K)
Doss	Harris	May	Stewart
Downing	Headley	Meeks	Stubbs
Drake	Hearn	Mims	Turner
Easters	Hill	Naramore	Waggoner
Edwards	Jones (F)	Owens	Waldrop
Falkenburg	Kinsey	Parker	Wallace
Fite	Lang	Porter	Williams
Flippo	Lutz	Pruitt	Wise
Gafford	McBride	Reed (T)	Wynot
Goodwin			

—61

Nays:

Messrs.:	Dill	Jackson	Nettles
Boles	Hughes	McNair	

—6

Mr. Headley offered the following amendment to the bill:

Amend House Bill 1151, Section 3, subsection (b) to delete the last sentence of said subsection and insert in lieu thereof the following:

"The fee for said license shall be paid into the Insurance Department Examination Revolving Fund and the same is hereby appropriated for that use."

And the amendment was adopted.

Yeas 74; Nays 1.

Yeas:

Mr. Speaker	Culver	Jackson	Reed (T)
Agee	Doss	Jones (F)	Reynolds
Barkett	Downing	King	Roberts
Barron	Drake	Kinsey	St. John
Benton	Easters	Lang	Slate
Boles	Edwards	Lutz	Smith (K)
Boutwell	Erdreich	McBride	Stewart
Burgess	Falkenburg	McDonald	Stokes
Callahan	Fite	McMillan	Stubbs
Carnes	Flippo	McNair	Therrell
Casey	Gafford	May	Turner
Cauthen	Goodwin	Meeks	Waggoner
Chesnut	Grainger	Mims	Wallace
Collins	Grey (D)	Naramore	Warren
Connell	Harris	Nettles	Weeks
Coshatt	Headley	Owens	Williams
Cottingham	Hearn	Porter	Wise
Crawford	Hill	Pruitt	Wynot
Crowe	Hughes		

—74

Nay: Mr. Dill.

—1

Mr. McCluskey offered the following amendment to the bill, H. 1151 as amended:

Amend H. B. 1151 by adding after "\$00.00" in section 3(b) the following:

REGULAR SESSION
28th Day

3091

"provided, however, that an insurance agency which finances less than \$150,000 in premiums annually shall pay a fee of \$50.00."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson	Pruitt
Adams	Doss	Jones (F)	Reed (T)
Agee	Downing	King	Reynolds
Barron	Drake	Lang	Roberts
Benton	Easters	Lutz	St. John
Boles	Edwards	McBride	Slate
Boutwell	Erdreich	McCorquodale	Smith (K)
Bowers	Falkenburg	McDonald	Snell
Burgess	Fite	McMillan	Stewart
Callahan	Flippo	McNair	Stokes
Carnes	Gafford	May	Stubbs
Casey	Goodwin	Meeks	Turner
Chesnut	Grainger	Mims	Waggoner
Collins	Gray (F)	Naramore	Wallace
Connell	Gray (D)	Nettles	Weeks
Coshatt	Harris	Owens	Williams
Cottingham	Headley	Parker	Wise
Crawford	Hill	Porter	Wynot
Culver	Hughes		

—74

Mr. Mathews offered the following amendment to the bill, H. 1151 as amended:

This Amendment proposes to amend Section 1., paragraph (b) to read as follows:

"any banking or other financial institution regulated by the State, or savings and loan associations, or credit union authorized to do business in this State, or any national banking institution or federal savings and loan association incorporated under the laws of the United States and located within this State;"

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Connell	Flippo	McBride
Agee	Coshatt	Gafford	McCorquodale
Barkett	Cottingham	Goodwin	McDonald
Barron	Crawford	Gray (F)	McMillan
Benton	Culver	Grey (D)	McNair
Boles	Dill	Harris	Manley
Boutwell	Doss	Headley	Mathews
Bowers	Downing	Hearn	May
Burgess	Drake	Hill	Meeks
Callahan	Easters	Hughes	Mims
Carnes	Edwards	Jackson	Naramore
Casey	Erdreich	Jones (F)	Nettles
Chesnut	Falkenburg	King	Owens
Collins	Fite	Lang	Parker

28th Day

Perloff	Roberts	Stokes	Weeks
Porter	St. John	Stubbs	Williams
Pruitt	Smith (K)	Turner	Wise
Reed (T)	Snell	Wallace	Wynot
Reynolds	Stewart		

—74

And the bill, H. 1151 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker	Crowe	Jackson	Porter
Agee	Culver	Jones (F)	Pruitt
Barkett	Downing	King	Reed (T)
Barron	Drake	Kinsey	Roberts
Benton	Easters	Lang	St. John
Boles	Edwards	McBride	Smith (K)
Boutwell	Erdreich	McCluskey	Smith (P)
Bowers	Falkenburg	McCorquodale	Snell
Burgess	Fite	McDonald	Stewart
Callahan	Flippo	McMillan	Stokes
Carnes	Gafford	McNair	Stubbs
Carter	Goodwin	Manley	Turner
Casey	Gray (F)	May	Wallace
Chesnut	Grey (D)	Mims	Warren
Collins	Harris	Naramore	Weeks
Connell	Headley	Nettles	Williams
Coshatt	Hearn	Owens	Wise
Cottingham	Hill	Parker	Wynot
Crawford	Hughes	Perloff	

—75

Nay: Mr. Dill.

—1

And the bill:

H. 610. To create a committee to study and review state government audit agencies and audit practices; to provide for the appointment of its members and to fix their terms of office; to prescribe the functions and duties of the committee; to provide for the compensation of its members and payment of its expenses; and to make an appropriation for the use of the committee.

Was taken up.

Mr. Adams offered the following amendment to the bill:

Strike out in its entirety Section 1 of the bill and insert in lieu thereof the following:

Section 1. There is hereby created and established a study and review committee to be known as State Auditing Committee which shall be composed of eleven members, three of whom shall be members of the House of Representatives to be appointed by the Speaker of the House; two of whom shall be members of the Senate to be appointed by the Lieutenant Governor; one of whom shall be Dr. Robert Freeman, Professor of Accounting, University of Alabama or in the event he is unable or unwilling to serve the committee shall appoint another professor of accounting to serve in his stead; one of whom shall be the State Auditor or someone designated by him to serve in his stead; one of whom shall be the Examiner of Public Accounts or someone designated by him to serve in his stead; and three of whom shall be certified

REGULAR SESSION
28th Day

3093

public accountants to be appointed by the Governor from a list of names of certified public accountants to be furnished him by the Auditing Sub-committee of the Commission on Intergovernmental Relations. All members shall serve for the duration of the terms for which they are appointed, and they shall elect from among the committee members a chairman and a vice-chairman.

Also, at the end of and as a part of Section 7 add the following:

No part of this appropriation shall revert to the general funds at the end of any fiscal year until the purposes of the committee have been fulfilled or it has been dissolved.

And the amendment was adopted.

Yeas 77; Nays 1.

Yeas:

Mr. Speaker	Culver	Jones (F)	Pruitt
Adams	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Barkett	Downing	Lang	St. John
Barron	Drake	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Erdreich	McCluskey	Smith (P)
Boutwell	Fite	McCorquodale	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	Mathews	Therrell
Callahan	Grainger	May	Turner
Carnes	Gray (F)	Meeks	Waggoner
Carter	Grey (D)	Mims	Wallace
Casey	Harris	Naramore	Warren
Chesnut	Headley	Nettles	Weeks
Connell	Hearn	Owens	Williams
Coshatt	Hughes	Parker	Wise
Cottingham	Jackson	Porter	Wynot
Crowe			

—77

Nay: Mr. Crawford.

—1

And the bill, H. 610 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 1.

Yeas:

Mr. Speaker	Carnes	Downing	Headley
Adams	Carter	Drake	Hearn
Agee	Casey	Edwards	Hughes
Barkett	Cauthen	Erdreich	Jackson
Barron	Chesnut	Fite	Jones (F)
Benton	Connell	Flippo	King
Boles	Coshatt	Gafford	Kinsey
Boutwell	Cottingham	Goodwin	Lang
Bowers	Crowe	Grainger	Lutz
Brassell	Culver	Gray (F)	McBride
Burgess	Dill	Grey (D)	McCluskey
Callahan	Doss	Harris	McCorquodale

28th Day

McDonald	Nettles	Slate	Waggoner
McMillan	Owens	Smith (K)	Wallace
Manley	Parker	Smith (P)	Warren
Mathews	Porter	Stewart	Weeks
May	Pruitt	Stokes	Williams
Meeks	Reynolds	Stubbs	Wise
Mims	Roberts	Therrell	Wood
Naramore	St. John	Turner	Wynot

—80

Nay: Mr. Crawford.

—1

And the bill:

H. 640. To provide for the compensation to be paid the Deputy District Attorneys who are elected by the people, in all counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same, and to provide the date when said act shall go into effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reynolds
Adwell	Dill	Kinsey	Roberts
Agee	Doss	Lang	Robertson
Barron	Downing	Lutz	St. John
Benton	Drake	McBride	Slate
Boles	Easters	McCluskey	Smith (K)
Boutwell	Edwards	McCorquodale	Smith (P)
Bowers	Erdreich	McDonald	Stewart
Brassell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Manley	Therrell
Carnes	Gafford	May	Turner
Casey	Goodwin	Meeks	Turnham
Cauthen	Gray (F)	Mims	Waggoner
Chesnut	Grey (D)	Naramore	Waldrop
Connell	Harris	Nettles	Wallace
Coshatt	Headley	Owens	Warren
Cottingham	Hearn	Porter	Weeks
Cross	Hughes	Pruitt	Wise
Crowe	Jackson		

—78

And the bill:

H. 1149. To permit and provide a procedure for the amendment to the certificate of incorporation of any medical clinic board now existing or hereafter incorporated under the provisions of Act No. 516 of the 1955 Regular Session of the Legislature (General Laws of Alabama, 1955, p. 1160 et seq.) approved September 9, 1955, as amended, and to validate amendments heretofore adopted and filed in substantial compliance with the procedures of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
28th Day

3095

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	Kinsey	Robertson
Agee	Dill	Lang	St. John
Barkett	Doss	Lutz	Slate
Barron	Downing	McBride	Smith (K)
Benton	Easters	McCluskey	Smith (P)
Boles	Edwards	McCorquodale	Stewart
Boutwell	Erdreich	McMillan	Stokes
Bowers	Falkenburg	McNair	Stubbs
Brassell	Fite	Manley	Therrell
Burgess	Flippo	May	Turner
Callahan	Gafford	Meeks	Turnham
Carnes	Goodwin	Mims	Waggoner
Carter	Grainger	Naramore	Waldrop
Casey	Gray (F)	Nettles	Wallace
Chesnut	Grey (D)	Owens	Warren
Collins	Hale	Parker	Weeks
Connell	Headley	Porter	Wise
Coshatt	Hearn	Pruitt	Wood
Cottingham	Hill	Reynolds	Wynot
Crawford	Hughes		

—82

H. 634 RECOMMITTED

On motion of Mr. Collins to recommit, the Speaker recommitted the bill, H. 634 to the Standing Committee on Local Legislation No. 3.

SPECIAL ORDER RESUMED

And the bill:

H. 1150. To empower and authorize each corporation organized under the Alabama Non Profit Corporation Act (Acts of 1955, p. 1254, approved September 12, 1955) as amended, and each other corporation not of a business character organized under, or created by, any statute of the State of Alabama, to guarantee or stand surety for the obligations of another non profit corporation if the articles of incorporation of such corporation grant such power to it.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 7.

Yeas:

Mr. Speaker	Burgess	Doss	Gafford
Adams	Callahan	Downing	Goodwin
Agee	Carnes	Drake	Hale
Barkett	Carter	Easters	Harris
Barron	Casey	Edwards	Headley
Benton	Cauthen	Ellis	Hearn
Boles	Coshatt	Erdreich	Hill
Boutwell	Cottingham	Falkenburg	Hughes
Bowers	Culver	Fite	Jackson
Brassell	Dill	Flippo	Jones (F)

28th Day

King	Mims	St. John	Waggoner
Kinsey	Nettles	Smith (K)	Wallace
McBride	Owens	Smith (P)	Warren
McCluskey	Pruitt	Stokes	Weeks
McDonald	Reed (T)	Stubbs	Wise
McMillan	Reynolds	Therrell	Wood
Manley	Roberts	Turner	Wynot
Meeks	Robertson	Turnham	

—71

Nays:

Messrs.:	Grey (D)	Lutz	Stewart
Crawford	Lang	Slate	Waldrop

—7

And the bill:

H. 1333. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for the fiscal year ending September 30, 1973.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dill	Hughes	Reynolds
Adams	Doss	Jackson	Roberts
Agee	Downing	Jones (F)	Robertson
Barkett	Drake	King	St. John
Barron	Easters	Lang	Slate
Benton	Edwards	Lutz	Smith (K)
Boles	Ellis	McBride	Smith (P)
Boutwell	Erdreich	McCluskey	Stewart
Bowers	Falkenburg	McDonald	Stokes
Brassell	Fite	McMillan	Stubbs
Burgess	Flippo	McNair	Therrell
Callahan	Gafford	Manley	Turner
Carnes	Goodwin	Mathews	Turnham
Carter	Grainger	Meeks	Waggoner
Casey	Gray (F)	Mims	Waldrop
Chesnut	Grey (D)	Naramore	Wallace
Collins	Hale	Nettles	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Parker	Williams
Cottingham	Hearn	Porter	Wise
Crawford	Hill	Pruitt	Wynot
Culver			

—85

And the bill:

H. 1014. To create a commission called The Good Neighbor Commission; prescribing certain powers and duties for said permanent state commission; authorizing the use of legislative funds in the amount of \$50,000 per year for its expenses during 1973-75 bienium; providing for transportation facilities for the commission and for expenses of the commission.

Was taken up.

REGULAR SESSION
28th Day

3097

Mr. Culver offered the following amendment to the bill:

In line 4 of the title strike the following: "during 1973-75 bienium" and insert in lieu thereof the following:

during 1974-75 bienium

In Section 3, strike the following words and figures: September 30, 1973 and insert in lieu thereof the following: September 30, 1974.

And the amendment was adopted.

Yeas 69; Nays 1.

Yeas:

Mr. Speaker	Drake	Lutz	St. John
Adwell	Easters	McBride	Smith (K)
Barkett	Ellis	McCluskey	Smith (P)
Barron	Falkenburg	McCorquodale	Stewart
Benton	Fite	McDonald	Stokes
Boles	Flippo	McMillan	Stubbs
Boutwell	Gafford	McNair	Therrell
Bowers	Goodwin	Mathews	Turner
Brassell	Grainger	May	Turnham
Burgess	Gray (F)	Meeks	Waggoner
Carnes	Gray (D)	Mims	Waldrop
Casey	Hale	Naramore	Wallace
Chesnut	Headley	Owens	Warren
Collins	Hearn	Porter	Weeks
Cottingham	Hill	Reed (T)	Williams
Dill	Hughes	Reynolds	Wise
Doss	King	Robertson	Wynot
Downing			

—69

Nay: Mr. Crawford.

—1

And the bill:

H. 1014. To create a commission called The Good Neighbor Commission; prescribing certain powers and duties for said permanent state commission; authorizing the use of legislative funds in the amount of \$50,000 per year for its expenses during 1974-75 bienium; providing for transportation facilities for the commission and for expenses of the commission.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 16.

Yeas:

Mr. Speaker	Brassell	Doss	Goodwin
Adams	Callahan	Downing	Gray (F)
Agee	Carnes	Drake	Gray (D)
Bank	Collins	Easters	Headley
Barkett	Connell	Edwards	Hearn
Barron	Coshatt	Ellis	Hill
Boles	Crowe	Erdreich	Hughes
Boutwell	Culver	Falkenburg	Jackson
Bowers	Dill	Fite	Kinsey

28th Day

McBride	Nettles	Robertson	Turnham
McCorquodale	Owens	Smith (K)	Waggoner
McMillan	Parker	Smith (P)	Warren
McNair	Porter	Stokes	Williams
Meeks	Pruitt	Stubbs	Wood
Merrill	Reynolds	Therrell	Wynot
Mims	Roberts		

—62

Nays:

Messrs.:	Crawford	Lutz	St. John
Burgess	Flippo	McCluskey	Stewart
Casey	Hale	McDonald	Parker
Chesnut	Harris	Mathews	Waldrop
Cottingham			

—16

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 185. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 14, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 185, was adopted.

And the bill:

H. 809. (With Substitute): To amend further Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745) as amended, which Act regulates the conduct of the real estate business in Alabama, by including travel expenses for certain officials of the Real Estate Commission, by exempting license fees from the Consumer Credit Act of 1971; by revising the requirements for license; by revising the appeals procedure; and by repealing the requirement for the posting of a roster for licensees.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on State Administration, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745) as amended, which Act regulates the conduct of the real estate business in Alabama, by including travel expenses for certain officials of the Real Estate Commission, by exempting license fees from the Consumer Credit Act of 1971; by revising the requirements for license; by revising the appeals procedure; and by repealing the requirement for the publishing of a roster for licensees.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745) as amended, is hereby further amended to read as follows:

"Section 4. COMMISSION MEMBERSHIP, TERM OF OFFICE, VACANCIES, ETC. (a) There is hereby created the Alabama Real Estate Commission. The Commission shall consist of five members appointed by the Governor. Each appointee shall have been a resident and citizen of this state for at least ten years prior to his appointment and whose vocation for at least ten years shall have been that of a real estate broker or real estate salesman. No person convicted of a violation of Title 46, Sections 298 thru 311, Code of Alabama, 1940, or of this Act shall be eligible to serve. Nor more than one member from any Congressional District shall be appointed to serve at the same time. The members of the Commission appointed under authority of Title 46, Section 300, Code of Alabama, 1940, and whose term does not expire prior to October 1, 1951, shall serve until their respective terms expire, and at the expiration of each term, the Governor shall appoint a member to fill the vacancy and such appointment shall be for a term of five years, or until their successor is appointed and qualifies. On October 1, 1951, the Governor shall appoint or reappoint one Commissioner for a period of three years, one Commissioner for a period of five years, all appointments expiring on September 30th of the respective years, or until their successors are appointed and qualify. Thereafter, any appointment shall be for a period of five years, or until such Commissioner's successor is appointed and qualified.

"(b) Immediately after the appointment of any new Commissioner, the Commission shall organize by selecting from its members, a chairman and shall perform all duties necessary and convenient for carrying into effect the provisions of this Act and may from time to time promulgate rules and regulations that are necessary to properly administer this Act. Each member of the Commission shall receive as full compensation for his services, the sum of Twenty Dollars per day for each day actually spent on the work of the Commission and his actual and necessary expenses incurred in the performance of duties pertaining to his office. No member shall be entitled to receive more than 5 per diems in any calendar month. The members of the Real Estate Commission, Investigators, Attorney, the Director and the Executive Secretary shall be reimbursed for their actual expenses for official travel on official business of the Real Estate Commission within or without the State of Alabama.

"(c) The Commission may employ a Director and Executive Secretary, both of whom shall be exempted from the classified service under the general laws of the State, and such clerks, investigators, and assistants as it shall deem necessary to discharge the duties imposed by the provisions of this Act and to effect its purposes, and the Commission shall determine the duties and fix the compensation of such Director, Executive Secretary, clerks, investigators and assistants, subject to the general laws of the State.

"(d) The Commission shall adopt a seal by which it shall authenticate its proceedings. Copies of all records and papers in the office of the Commission duly certified and authenticated by the seal of said Commission shall be received in evidence in all courts equally and with like effect as the original. All records kept in the office of the Commission under authority of this act shall be open to public inspection under reasonable rules and regulations as shall be prescribed by the Commission."

Section 2. Section 6 of Act No. 422, H. 325, Regular Session 1951 (Acts 1951, p. 745), as amended, is hereby further amended to read as follows:

"Section 6. APPLICATION FOR LICENSE. (a) Every applicant for a real estate broker's license shall apply therefor in writing upon banks prepared by the Commission. Along with the application, he shall submit proof satisfactory to the Commission that he has been engaged full time as a real estate broker or salesman licensed by the State of Alabama or another state for a period of at least two years immediately prior to the date of application. He shall also furnish such other data and information as the Commission may require.

"(b) Such application, other than an application for a corporation or partnership, shall be accompanied by the recommendation of at least three citizens who know the applicant, and are not related to the applicant, certifying that the applicant bears a good reputation for honesty and trustworthiness, and recommending that a license be granted to the applicant.

"(c) Such application, other than for a corporation or partnership, shall include the names and addresses of at least three references, other than the persons who vouch for the applicant by signing his application, for each county where the applicant may have resided or been engaged in business for a period of at least six months during the preceding one year, which references must be property owners, not related to the applicant, who will certify that the applicant bears a good reputation for honesty and trustworthiness, and recommending that a license be granted to the applicant.

"(d) Every applicant for a salesman's license shall apply therefor in writing upon blanks prepared by the Commission and shall furnish such data and information as the Commission may require. Along with the application, he shall submit proof that he has been awarded a diploma from a duly accredited high school in this State, or a certificate from a recognized educational institution equivalent to a high school diploma. He shall also submit proof that he shall have completed a course in real estate approved by the Commission. The application shall be accompanied by a sworn statement by the broker under whom the applicant desires to be licensed certifying that in his opinion the applicant is honest, trustworthy, of good reputation and recommending that the license be granted to the applicant and accepting responsibility for the actions of such salesman as set out in Section 5.

"(e) An applicant for a broker's license for a corporation or partnership shall be made by a qualifying broker. No broker's license shall be issued to a corporation or partnership unless an officer, partner, or employee so designated to qualify the corporation or partnership has been issued a broker's license as an individual. When the officer, employee or partner so designated has been issued a broker's license as an individual and the corporation or partnership has complied with all pertinent requirements for the issuance of a broker's license to it, the Commission shall, for a fee of \$15.00 issue to it a broker's license which shall also bear the name of the broker designated by the corporation or partnership to act as qualifying broker, and such designated qualifying broker shall be entitled to perform all the acts of a broker as agent of such corporation or partnership but shall not so act on his own behalf as long as he continues to be a designated qualifying broker, unless the written consent thereto of such corporation or partnership is filed with the Commission."

“(f) Every applicant for a broker’s or salesman’s license shall furnish evidence to the effect that he or she has resided in the State of Alabama for a period of at least ninety (90) days prior to said application and shall submit evidence of such residence as required by the Real Estate Commission.

“(g) A broker or salesman previously licensed and whose license has expired may renew same at any time within the license year following the year within which he held a license upon application to the Commission without taking a written examination, provided, however, a penalty of fifty per cent (50%) of the renewal fee shall be paid before a license can be issued.

“(h) Any broker, properly authorized, may serve as broker for more than one corporation or partnership provided he first obtains written consent of all corporations or partnerships for which he is already qualifying broker. Any salesman licensed under a broker may be employed by a corporation or partnership which has the same broker as a qualifying broker.

“(i) The license of a corporation or partnership shall cease unless at least one designated officer, partner or salesman, as the case may be, is a licensed broker, except as hereinafter provided. Within thirty (30) days after the death, disability or retirement of the broker through whom the corporation or partnership was qualified as a broker hereunder, the corporation, or the remaining partner or partners or the successor partnership, if any, may designate another of its officers, members or salesmen duly designated by the governing body of such corporation or partnership to apply for a temporary license as broker provided that the individual thus designated, if not already a licensed broker under this Act, must have held an Alabama license as a salesman for a period of at least one (1) year continuously prior to the filing of his application to act as broker, and such corporation or partnership may continue to act as a broker for a period of six (6) months after the death, disability or retirement of its sole qualifying broker. On or before the expiration of said six (6) months period, unless the corporation or partnership designates a person who is licensed as a broker under other provisions of this Act, some designated officer, member or salesman of such corporation or partnership must successfully complete the broker’s examination and comply with all of the other requirements of this Act for the licensing of a broker, otherwise the authority of such corporation or partnership to act as a real estate broker shall terminate at the end of such six (6) month period. During the six (6) month period the commission shall have the right to suspend or revoke the license of the partnership or corporation for cause as elsewhere provided herein.

“(j) No license issued by any municipality or by any county to any person, partnership or corporation purporting to license such person, partnership or corporation to act as a real estate broker or salesman shall be valid unless such person, partnership or corporation, as the case may be, holds a valid license issued to such applicant pursuant to the Alabama Real Estate Law which license has not expired or been suspended or been revoked.”

Section 3. Section 10 of Act No. 422, H. 325, 1951 Regular Session (Acts 1951, p. 745) as amended, is hereby further amended to read as follows:

“Section 10. LICENSE FEES AND DETAILS RELATING TO LICENSE. (a) The Commission shall issue to each licensee a license in such form and of such size as shall be prescribed by the Commission. A broker’s license shall show the name and address of the licensee. A salesman’s license

shall show his name and address of the licensee. A salesman's license shall show his name and the name of the broker under whom he is licensed. Each license shall have imprinted thereon the seal of the Commission, and in addition to the foregoing shall contain such matter as shall be prescribed by the Commission. The license of each real estate salesman shall be delivered or mailed to the real estate broker by whom such real estate salesman is employed, and shall be kept in the custody and control of such broker. The Commission shall prepare and deliver to each licensee a pocket card, which card, among other things, shall contain an imprint of the seal of the Commission, and shall certify that the person whose name appears thereon is a licensed real estate broker or real estate salesman, as the case may be, and if it is a real estate salesman's card, shall also contain the name of his broker. The matter to be printed on such pocket card, except as above set forth shall be prescribed by the Commission.

"(b) The following fees or license shall be paid by all licensees in the State of Alabama. The original fee for each real estate broker's license issued to an individual shall be twenty-five dollars (\$25.00) and the annual renewal fee for each real estate broker's license shall be twenty-five dollars (\$25.00); provided, however, the original fee for each broker's license issued to corporation or partnership shall be fifteen dollars (\$15.00) and the annual renewal fee shall be fifteen dollars (\$15.00). The original fee for each real estate salesman's license shall be fifteen dollars (\$15.00) and the annual renewal fee for each real estate salesman's license shall be fifteen dollars (\$15.00).

"Licensees under this chapter shall be exempt from the provisions of Section 18(a) or 18(j) of the Alabama Consumer Credit Act of 1971.

"Annual renewal fees must accompany the Certificate of Continuation in Business which must be filed on or before July 31st of each ensuing year, but in the event said Certificate of Continuation in Business is filed after July 31st of each ensuing year, there shall be added to the above fees a penalty in the amount of fifty per cent (50%) which shall be paid before a license can be issued.

"(c) Every applicant for a license as broker or salesman, other than an applicant for renewal of an existing license, shall pay, in addition to the fees provided for in Section 10(b) of this Act, the examination fee of Fifty Dollars (\$50.00) which payment must be made by separate certified check, cashier's check, post office money order, or money order issued by any person duly licensed to do business in Alabama under the Sale of Checks Act, and further provided that an additional fee of Fifty Dollars (\$50.00) is paid each time the examination is taken.

"(d) Each license issued by this Commission under Section 10 shall be valid without further recommendation or examination until revoked or suspended, or until such license shall lapse for failure to file a Certificate of Continuation as provided for in this Section.

"Each licensee shall file, on or before July 31st of each ensuing year, a Certificate of Continuation in Business on a form prescribed by the Alabama Real Estate Commission listing all salesmen and other information as required by the Commission. The Certificate of Continuation in Business shall be mailed by the Commission to the Licensee's place of business prior to June 1st each year.

28th Day

"Every Certificate of Continuation in Business shall expire at midnight on the thirtieth day of September of each year. The license of any licensee who fails to file a Certificate of Continuation prior to the thirtieth day of September of each ensuing year shall lapse and such broker or salesman shall be subject to all the requirements of such sections applicable to persons who have never been licensed unless the Commission for good cause shown, determines that the Certificate of Continuation could not have been filed by the thirtieth day of September, but is filed within fifteen (15) days from said date. No license shall be transferred during the month of September except in case of undue hardship."

Section 4. Section 14 of Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745 as amended, is hereby amended further to read as follows:

"Section 14. APPEAL. Findings made by the Commission are deemed conclusive unless within thirty (30) days after notice of the decision or order has been given to an applicant or accused, said applicant or accused shall file a petition for a writ of certiorari with the Register of the Circuit Court of the county of his residence to have such findings received by the Circuit Court sitting in equity of that county. Said petitioner shall post a bond in the amount of \$200.00 with the Register of said Court with at least one solvent surety, conditioned to pay all cost and damages which may be adjudged against the petitioner by the Court. Upon the filing of a petition for review, the Director of the Commission shall prepare, or cause to be prepared, an official record which shall contain a copy of all proceedings and the findings and the decision or order of the Commission and which shall also contain a transcript of all testimony and exhibits all of which shall be filed in the Court within thirty (30) days after the service of the petition.

"The filing of the petition in the Circuit Court in equity shall stay the enforcement of the Commission's decision or order, unless the Court shall rule otherwise.

"The review by the Court shall be confined to the record. The Court shall have the right to affirm, reverse or affirm in part, or reverse in part the findings of the Commission and shall render such final judgment as the Court may deem just and proper.

"In the event the decision of the Commission is affirmed, in whole or in part, costs shall be taxed against the party filing said petition for review. In the event the decision of the Commission is not affirmed, the Court shall tax such costs against the Commission."

Section 5. Section 15 of Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745) is hereby expressly repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell

Agee
Barkett
Barron

Benton
Boutwell
Bowers

Brassell
Burgess
Callahan

Carnes	Erdreich	McBride	Robertson
Casey	Falkenburg	McCluskey	Slate
Chesnut	Fite	McDonald	Smith (K)
Collins	Flippo	McMillan	Smith (P)
Connell	Grainger	McNair	Stewart
Cottingham	Grey (D)	Manley	Stokes
Crawford	Hale	Mathews	Stubbs
Crowe	Harris	Meeks	Turner
Dill	Headley	Merrill	Waldrop
Doss	Hearn	Mims	Wallace
Downing	Hughes	Nettles	Warren
Drake	Jackson	Owens	Williams
Easters	King	Parker	Wood
Edwards	Kinsey	Reed (T)	Wynot
Ellis	Lutz	Roberts	

—71

Mr. Lutz offered the following amendment #1 to the bill, H. 809 as amended:

Amend H. B. 809 by striking Section 5 and renumbering present Section 6.

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Crawford	Hughes	Pruitt
Adams	Crowe	King	Reed (T)
Agee	Doss	Kinsey	Reynolds
Barkett	Downing	Lutz	Roberts
Barron	Easters	McBride	Robertson
Benton	Ellis	McCluskey	St. John
Boles	Erdreich	McCorquodale	Slate
Boutwell	Falkenburg	McDonald	Smith (K)
Bowers	Fite	McMillan	Stewart
Brassell	Flippo	McNair	Stokes
Burgess	Goodwin	Manley	Stubbs
Carnes	Grainger	May	Turner
Carter	Gray (F)	Meeks	Waggoner
Casey	Grey (D)	Merrill	Waldrop
Cauthen	Hale	Mims	Wallace
Collins	Harris	Naramore	Warren
Connell	Headley	Nettles	Weeks
Coshatt	Hearn	O'Daniel	Williams
Cottingham	Hill	Owens	Wynot

—75

Mr. Lutz offered the following amendment #2 to the bill, H. 809 as amended:

Amend Substitute H. B. 809 by striking Section 2 and substituting the following in lieu thereof:

Section 2. Section 6 of Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745) as amended, is hereby further amended to read as follows:

Section 6. APPLICATION FOR LICENSE.

(a) Every application for a real estate broker's license shall apply therefor in writing upon blanks prepared by the Commission. Along with the ap-

plication, he shall submit proof satisfactory to the Commission that he has been engaged full time as a real estate broker or salesman licensed by the State of Alabama or another state for a period of at least two years prior to the date of application; or proof that he shall have completed a course in real estate approved by the Commission. In addition, the applicant shall submit proof that he has been awarded a high school diploma, or a certificate from a recognized educational institution equivalent to a high school diploma. He shall also furnish such other data and information as the Commission may require.

“(b) Such application, other than an application for a corporation or partnership, shall be accompanied by the recommendation of at least three citizens who know the applicant, and are not related to the applicant, certifying that the applicant bears a good reputation for honesty and trustworthiness, and recommending that a license be granted to the applicant.

“(c) Such application, other than for a corporation or partnership, shall include the names and addresses of at least three references, other than the persons who vouch for the applicant by signing his application, for each county where the applicant may have resided or been engaged in business for a period of at least six months during the preceding one year, which references must be property owners, not related to the applicant, who will certify that the applicant bears a good reputation for honesty and trustworthiness, and recommending that a license be granted to the applicant.

“(d) Every applicant for a salesman's license shall apply therefor in writing upon blanks prepared by the Commission and shall furnish such data and information as the Commission may require. Along with the application, he shall submit proof that he has been awarded a diploma from a duly accredited high school in this State, or a certificate from a recognized educational institution equivalent to a high school diploma. He shall also submit proof that he shall have completed a course in real estate approved by the Commission. The application shall be accompanied by a sworn statement by the broker under whom the applicant desires to be licensed certifying that in his opinion the applicant is honest, trustworthy, of good reputation and recommending that the license be granted to the applicant and accepting responsibility for the actions of such salesman as set out in Section 5.

“(e) An applicant for a broker's license for a corporation or partnership shall be made by a qualifying broker. No broker's license shall be issued to a corporation or partnership unless an officer, partner or employee so designated to qualify the corporation or partnership has been issued a broker's license as an individual. When the officer, employee or partner so designated has been issued a broker's license as an individual and the corporation or partnership has complied with all pertinent requirements for the issuance of a broker's license to it, the Commission shall, for a fee of \$15.00 issue to it a broker's license which shall also bear the name of each designated officer, partner or employee to whom a broker's license as an individual has been issued, and each such designated officer, partner, or employee shall be entitled to perform all the acts of a broker as agent of such corporation or partnership but shall not so act on his own behalf as long as he continues to be a designated broker, unless the written consent thereto of such corporation or partnership is filed with the Commission.

“(f) Every applicant for a broker's or salesman's license shall furnish evidence to the effect that he or she has resided in the State of Alabama for a

period of at least ninety (90) days prior to said application and shall submit evidence of such residence as required by the Real Estate Commission.

“(g) A broker or salesman previously licensed and whose license has expired may renew same at any time within the license year following the year within which he held a license upon application to the Commission without taking a written examination, provided, however, a penalty of fifty per cent (50%) of the renewal fee shall be paid before a license can be issued.

“(h) Any broker, properly authorized, may serve as broker for more than one corporation or partnership provided he first obtains written consent of all corporations or partnerships for which he is already qualifying broker. Any salesman licensed under a broker may be employed by a corporation or partnership which has the same broker as a qualifying broker.

“(i) The license of a corporation or partnership shall cease unless at least one designated officer, partner or salesman, as the case may be, is a licensed broker, except as hereinafter provided. Within thirty (30) days after the death, disability or retirement of the broker through whom the corporation or partnership has qualified as a broker hereunder, the corporation, or the remaining partner or partners or the successor partnership, if any, may designate another of its officers, members or salesmen duly designated by the governing body of such corporation or partnership to apply for a temporary license as broker provided that the individual thus designated, if not already a licensed broker under this Act, must have held an Alabama license as a salesman for a period of at least one (1) year continuously prior to the filing of his application to act as broker, and such corporation or partnership may continue to act as a broker for a period of six (6) months after the death, disability or retirement of its sole qualifying broker. On or before the expiration of said six (6) month period, unless the corporation or partnership designates a person who is licensed as a broker under other provisions of this Act, some designated officer, member or salesman of such corporation or partnership must successfully complete the broker's examination and comply with all of the other requirements of this Act for the licensing of a broker, otherwise the authority of such corporation or partnership to act as a real estate broker shall terminate at the end of such six (6) month period. During the six (6) month period the commission shall have the right to suspend or revoke the license of the partnership or corporation for cause as elsewhere provided herein.

“(j) No license issued by any municipality or by any county to any person, partnership or corporation purporting to license such person, partnership or corporation to act as a real estate broker or salesman shall be valid unless such person, partnership or corporation, as the case may be, holds a valid license issued to such applicant pursuant to the Alabama Real Estate License Law which license has not expired or been suspended or been revoked.”

AMENDMENT TABLED

On motion of Mr. St. John, the amendment #2 offered by Mr. Lutz to the bill, H. 809 as amended, was tabled.

Yeas 35; Nays 24.

Yeas:

Mr. Speaker
Adwell
Agee

Barron
Boles
Bowers

Burgess
Casey
Cauthen

Collins
Cottingham
Dill

REGULAR SESSION
28th Day

3107

Doss	Hughes	Merrill	Smith (K)
Downing	Kinsey	Parker	Stewart
Drake	McBride	Pruitt	Turner
Fite	McDonald	Robertson	Wallace
Flippo	McNair	St. John	Wynot
Hearn	Manley	Slate	—35

Nays:

Messrs.:	Goodwin	Lutz	Porter
Boutwell	Grainger	May	Reid (R)
Carnes	Grey (D)	Meeks	Reynolds
Coshatt	Hale	Mims	Waldrop
Crawford	Hill	Naramore	Warren
Crowe	King	Nettles	Williams
Gafford			—24

And the bill:

H. 809. To amend further Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745) as amended, which Act regulates the conduct of the real estate business in Alabama, by including travel expenses for certain officials of the Real Estate Commission, by exempting license fees from the Consumer Credit Act of 1971; by revising the requirements for license; by revising the appeals procedure; and by repealing the requirement for the publishing of a roster for licensees.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 10.

Yeas:

Mr. Speaker	Coshatt	Harris	Pruitt
Adams	Cottingham	Headley	Reed (T)
Adwell	Dill	Hearn	Roberts
Agee	Doss	Hill	Robertson
Barkett	Downing	Hughes	St. John
Barron	Drake	King	Slate
Benton	Ellis	Kinsey	Smith (K)
Boles	Erdreich	Lutz	Stewart
Bowers	Falkenburg	McBride	Stokes
Brassell	Fite	McDonald	Stubbs
Burgess	Flippo	Merrill	Turner
Carnes	Gafford	Naramore	Wallace
Casey	Grainger	O'Daniel	Wynot
Collins	Hale	Parker	—55

Nays:

Messrs.:	Goodwin	Nettles	Waldrop
Boutwell	Grey (D)	Reid (R)	Warren
Crowe	Mims	Reynolds	—10

And the bill:

H. 1084. To amend further Act 422, H. 325, Regular Session 1951 (Acts 1951, p. 74) as amended, which Act regulates the conduct of the Real Estate business in Alabama, by providing that expenditures of the Real Estate Commission may be approved and authorized by the Director of the Real Es-

tate Commission and validating all expenditures of the Commission which were made since October 1, 1972, on the signature of the Director.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 4.

Yeas:

Mr. Speaker	Crowe	Hill	Parker
Adams	Dill	Hughes	Porter
Adwell	Downing	Jackson	Pruitt
Barkett	Drake	King	Reed (T)
Barron	Easters	Kinsey	Roberts
Benton	Edwards	Lutz	Robertson
Boles	Ellis	McBride	St. John
Bowers	Erdreich	McDonald	Slate
Brassell	Falkenburg	McMillan	Smith (K)
Burgess	Fite	McNair	Stewart
Carnes	Flippo	Manley	Stokes
Carter	Grainger	May	Stubbs
Casey	Grey (D)	Meeks	Turner
Collins	Hale	Merrill	Wallace
Coshatt	Harris	Naramore	Weeks
Cottingham	Headley	Nettles	Williams
Crawford	Hearn	O'Daniel	Wynot

—68

Nays:

Messrs.:	Goodwin	Reid (R)	Reynolds
Boutwell			

—4

And the bill:

H. 1085. To amend further Act 422, H. 325, Regular Session 1951 (Acts 1951, p. 745), as amended which Act regulates the conduct of the real estate business in Alabama to provide that all licensed real estate brokers shall display a sign at their place of business, and granting the Real Estate Commission the authority to prescribe the dimensions and form of such sign.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 4.

Yeas:

Mr. Speaker	Casey	Easters	Hughes
Adams	Cauthen	Ellis	Jackson
Agee	Collins	Erdreich	King
Barkett	Connell	Falkenburg	Kinsey
Barron	Coshatt	Fite	Lang
Benton	Cottingham	Gafford	Lutz
Boutwell	Crawford	Grainger	McBride
Bowers	Crowe	Gray (F)	McDonald
Brassell	Dill	Grey (D)	McMillan
Burgess	Doss	Hale	McNair
Carnes	Downing	Headley	Manley
Carter	Drake	Hearn	Meeks

REGULAR SESSION
28th Day

3109

Merrill	Reed (T)	Smith (K)	Turner
Naramore	Roberts	Stewart	Waldrop
Nettles	Robertson	Stokes	Wallace
O'Daniel	St. John	Stubbs	Weeks
Pruitt	Slate	Therrell	Wynot

—68

Nays:

Messrs.:	Reid (R)	Reynolds	Williams
Goodwin			

—4

And the bill:

H. 731. To provide for the keeping of records by junk dealers and scrap metal processors of the purchases of copper wire subject to inspection by sheriffs and state law enforcement officers, and to provide a penalty for the violation thereof.

Was read a third time at length and passed, an dordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Parker
Adams	Dill	Jones (F)	Pruitt
Adwell	Downing	King	Reed (T)
Agee	Drake	Kinsey	Reynolds
Barkett	Easters	Lang	Roberts
Barron	Edwards	Lutz	Robertson
Benton	Ellis	McBride	St. John
Boutwell	Erdreich	McCluskey	Smith (K)
Bowers	Falkenburg	McDonald	Smith (P)
Brassell	Fite	McMillan	Stewart
Burgess	Flippo	McNair	Stokes
Carnes	Gafford	Manley	Stubbs
Carter	Goodwin	Mathews	Therrell
Casey	Grainger	Meeks	Turner
Cauthen	Grey (D)	Merrill	Waldrop
Collins	Hale	Mims	Wallace
Connell	Harris	Naramore	Warren
Crawford	Hill	Nettles	Wise
Crowe	Hughes	O'Daniel	

—75

And the bill:

H. 748. To create and establish the State Licensing Board for the Servicing of Mobile Homes; providing for the appointment of said Board, its composition, duties, responsibilities and compensation; providing certain procedures and fees for examining and licensing servicemen and repairmen; providing for an executive assistant, and necessary employees for said board; and for the disposition of fees received for licensing and examinations.

Was taken up.

Mr. Jones (F) offered the following amendment to the bill:

Amend Section 2 of House Bill No. 748 by adding subsection (a) as follows:

"Any person, firm or corporation who violates the provisions of this Act by not obtaining a license as stated further in this Act shall be guilty of a misdemeanor and fined not less than \$500 and/or six months in the county jail."

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Pruitt
Adams	Downing	Lang	Reed (T)
Agee	Drake	Lutz	Reynolds
Barkett	Ellis	McCluskey	Roberts
Benton	Erdreich	McDonald	St. John
Boutwell	Falkenburg	McMillan	Slate
Brassell	Fite	McNair	Snell
Burgess	Gafford	Manley	Stewart
Carnes	Goodwin	May	Stokes
Collins	Grainger	Meeks	Therrell
Connell	Grey (D)	Merrill	Turner
Coshatt	Hale	Naramore	Waldrop
Cottingham	Hearn	Nettles	Wallace
Crawford	Hughes	Parker	Wise
Crowe	Jackson	Perloff	Wood
Culver	King	Porter	Wynot
Dill			

—65

MOTION TO TABLE LOST

The motion of Mr. Jones (F) to table the motion offered by Mr. Nettles to postpone the bill, H. 748 as amended, to the thirtieth legislative day, was lost.

Yeas 5; Nays 61.

Yeas:

Messrs.:	Hill	Meeks	Parker
Carnes	Jackson		

—5

Nays:

Messrs.:	Dill	Hughes	Porter
Adwell	Doss	Jones (E)	Reid (R)
Agee	Downing	King	Reynolds
Barron	Drake	Kinsey	St. John
Benton	Easters	Lang	Smith (K)
Boles	Edwards	Lutz	Smith (P)
Brassell	Ellis	McCluskey	Stewart
Carter	Erdreich	McCorquodale	Stokes
Casey	Falkenburg	McDonald	Stubbs
Cauthen	Flippo	McNair	Therrell
Chesnut	Goodwin	Manley	Waldrop
Collins	Grainger	Naramore	Wallace
Coshatt	Gray (F)	Nettles	Williams
Crawford	Hale	Owens	Wood
Crowe	Headley	Perloff	Wynot
Culver	Hearn		

—61

H. 748 POSTPONED

The question was then on the motion offered by Mr. Nettles that the bill, H. 748 as amended, be postponed to the thirtieth legislative day, and the motion was adopted.

REGULAR SESSION
28th Day

3111

MOTION TO ADJOURN LOST

The motion offered by Mr. Therrell that the House adjourn until 12:00 o'clock noon, Tuesday, August 14, 1973, was lost.

Yeas 7; Nays 76.

Yeas:

Messrs.:	Dill	Perloff	Therrell
Agee	Mathews	Smith (K)	Wood

—7

Nays:

Mr. Speaker	Crowe	Hearn	Parker
Adwell	Culver	Hill	Porter
Barkett	Doss	Hughes	Pruitt
Barron	Downing	King	Reed (T)
Benton	Drake	Kinsey	Reynolds
Boles	Easters	Lang	Roberts
Bowers	Edwards	Lutz	Robertson
Brassell	Ellis	McCluskey	St. John
Burgess	Erdreich	McDonald	Smith (K)
Callahan	Falkenburg	McMillan	Stewart
Carnes	Fite	McNair	Stokes
Carter	Flippo	Manley	Stubbs
Cauthen	Goodwin	May	Turner
Chesnut	Grainger	Meeks	Waldrop
Collins	Gray (F)	Merrill	Wallace
Connell	Grey (D)	Mims	Warren
Coshatt	Hale	Naramore	Williams
Cottingham	Harris	Nettles	Wise
Crawford	Headley	Owens	Wynot

—76

SPECIAL ORDER RESUMED

And the bill:

H. 401. To amend Act No. 880, H. 675 of the Regular Session of 1965 which applies in all counties having populations of 60,000 or more according to the 1960 federal decennial census and special courts where probation services for juvenile delinquents is not now provided by the Department of Pensions and Security and regulates the expenditure of state and county funds to pay for the cost of the salaries of juvenile court probation officers in such counties, and makes an appropriation therefor, amending such Act so as to make such Act apply to counties having populations of 59,000 or more according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Benton	Callahan	Coshatt
Adams	Boles	Carnes	Cottingham
Adwell	Boutwell	Casey	Culver
Barkett	Bowers	Collins	Dill
Barron	Brassell	Connell	Doss

Downing	Harris	McDonald	Stokes
Drake	Headley	McNair	Stubbs
Edwards	Hearn	May	Therrell
Ellis	Hill	Merrill	Turner
Erdreich	Hughes	Naramore	Turnham
Falkenburg	Jackson	O'Daniel	Waldrop
Fite	King	Owens	Wallace
Flippo	Kinsey	Roberts	Williams
Goodwin	Lutz	St. John	Wise
Grainger	McCluskey	Smith (K)	Wood
Grey (D)	McCorquodale	Stewart	Wynot

—64

And the bill:

H. 989. (With Amendment): To provide for the creation, staffing, and functioning of a fiscal office to serve both houses of the Legislature and the members thereof.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 989 by changing the dates in Section 4 from September 30, 1973 to September 30, 1974 and from September 30, 1974 to September 30, 1975.

And the amendment was adopted.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Dill	Hearn	Pruitt
Adwell	Doss	Hill	Reynolds
Barkett	Downing	Hughes	Roberts
Barron	Drake	Jackson	St. John
Benton	Edwards	King	Smith (K)
Boles	Ellis	Kinsey	Smith (P)
Boutwell	Erdreich	Lutz	Stokes
Bowers	Falkenburg	McDonald	Therrell
Brassell	Fite	McMillan	Turner
Callahan	Flippo	McNair	Turnham
Carnes	Goodwin	May	Waldrop
Collins	Grainger	Merrill	Wallace
Coshatt	Gray (F)	Naramore	Williams
Cottingham	Grey (D)	Owens	Wood
Culver	Hale	Parker	Wynot

—60

Mr. Stewart offered the following amendment #1 to the bill as amended:

Amend H. B. 989 by deleting Section 1 and inserting the following paragraph to be known as Section 1:

Section 1. There is hereby created a fiscal office for the Alabama Legislature which shall be under the supervision, direction and control of an officer designated as the director of the fiscal office. Such office shall supercede

the fiscal office for the Senate created by S. R. 8 of the 3rd Special Session of 1971, adopted February 2, 1972 (J. p. 671). Such fiscal office for the Senate is hereby abolished; and the duties thereof are hereby transferred to the fiscal office for the Legislature hereby established. The Director of this fiscal office shall be appointed by the fiscal committee. The Director may, at his election, participate in any retirement system available to state employees. His salary shall be fixed by such committee at an amount not to exceed \$20,000.00 per annum. He may employ, subject to the provisions of the Merit System Act, such employees as are reasonably needed to effect the purposes of this Act; and he is specifically authorized when, in his opinion, he can thereby serve the legislature better, and when he has the approval of the committee, to employ on a part-time basis, without regard to the state merit system law, such consultants and experts as he deems necessary. Such office shall be separate from the independent of the Legislative Reference Service.

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hale	Owens
Adwell	Crowe	Harris	Parker
Agee	Culver	Hearn	Porter
Barkett	Dill	Hill	Pruitt
Barron	Doss	Hughes	Reynolds
Benton	Downing	Jackson	Roberts
Boles	Drake	King	Robertson
Boutwell	Easters	Kinsey	St. John
Bowers	Edwards	Lutz	Smith (K)
Brassell	Ellis	McCluskey	Smith (P)
Burgess	Erdreich	McDonald	Stewart
Callahan	Falkenburg	McMillan	Stokes
Carnes	Fite	McNair	Turner
Casey	Flippo	Manley	Waldrop
Cauthen	Goodwin	Meeks	Wallace
Collins	Grainger	Merrill	Williams
Connell	Gray (F)	Naramore	Wood
Cottingham	Grey (D)	Nettles	Wynot

—72

Mr. Stewart offered the following amendment #2 to the bill, H. 989 as amended:

Amend Section 2 (6) of the bill so that it reads as follows:

“(6) Reviewing, on a continuous basis, agency budgets and programs which shall include performance reviews and audits;”

Amend Section 2 (12) so that it reads as follows:

“(12) Assisting committees of the Legislature and legislative departments in developing means and the techniques necessary to review periodicaly the economy, efficiency, and effectiveness of governmental program management, as well as, to determine whether the desired results or benefits are being achieved, whether the objectives established by the Legislature are being met, and whether the agency has considered alternatives which might yield desired results at a lower cost.”

And the amendment was adopted.

Yeas 71; Nays 1.

Yeas:

Messrs.:	Cottingham	Headley	Pruitt
Adams	Crowe	Hearn	Reynolds
Adwell	Culver	Hill	Roberts
Agee	Dill	Hughes	Robertson
Barron	Doss	Jackson	St. John
Benton	Downing	King	Smith (K)
Boutwell	Drake	Lutz	Smith (P)
Bowers	Edwards	McCluskey	Stewart
Brassell	Ellis	McCorquodale	Stokes
Burgess	Erdreich	McMillan	Stubbs
Callahan	Falkenburg	McNair	Therrell
Carnes	Fite	Manley	Turner
Carter	Flippo	Merrill	Turnham
Casey	Goodwin	Naramore	Waggoner
Cauthen	Grainger	Nettles	Waldrop
Collins	Gray (F)	Owens	Wallace
Connell	Gray (D)	Parker	Wood
Coshatt	Hale	Porter	Wynot

—71

Nay: Mr. Speaker.

—1

And the bill, H. 989 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Crawford	Headley	Porter
Adams	Crowe	Hearn	Pruitt
Adwell	Culver	Hill	Roberts
Agee	Dill	Hughes	Robertson
Barkett	Doss	Jackson	St. John
Barron	Downing	King	Smith (K)
Benton	Drake	Kinsey	Smith (P)
Boles	Easters	Lutz	Snell
Boutwell	Edwards	McCluskey	Stewart
Bowers	Ellis	McDonald	Stokes
Brassell	Erdreich	McMillan	Stubbs
Burgess	Falkenburg	McNair	Therrell
Callahan	Fite	Manley	Turner
Carnes	Flippo	Meeks	Turnham
Carter	Goodwin	Merrill	Waggoner
Casey	Grainger	Naramore	Waldrop
Cauthen	Gray (F)	Nettles	Wallace
Collins	Gray (D)	O'Daniel	Warren
Connell	Hale	Owens	Wood
Coshatt	Harris	Parker	Wynot
Cottingham			

—81

And the bill:

H. 938. To provide for employment of Industrial Developers by the Alabama Development Office as nonmerit system employees.

REGULAR SESSION

3115

28th Day

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 9.

Yeas:

Messrs.:	Downing	King	Pruitt
Adwell	Drake	Kinsey	Reed (T)
Agee	Easters	Lang	Reynolds
Barkett	Edwards	McBride	Roberts
Benton	Ellis	McCorquodale	St. John
Boles	Falkenburg	McDonald	Smith (K)
Boutwell	Fite	Manley	Snell
Bowers	Flippo	May	Stewart
Brassell	Goodwin	Meeks	Stokes
Carnes	Grainger	Merrill	Therrell
Connell	Gray (F)	Mims	Turner
Coshatt	Grey (D)	Naramore	Waggoner
Cottingham	Hale	Nettles	Wallace
Crawford	Harris	O'Daniel	Williams
Crowe	Hearn	Owens	Wise
Culver	Hill	Parker	Wood
Dill	Hughes	Perloff	Wynot
Doss	Jackson	Porter	
			—70

Nays:

Messrs.:	Burgess	Lutz	Smith (P)
Adams	Casey	McNair	Turnham
Barron	Cauthen		
			—9

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Turner, Cottingham and Erdreich, unanimous consent was granted for their names to be added as co-sponsors to the bill, H. 823.

And the bill:

H. 823. To purify, preserve and maintain the Cahaba River; to prohibit the construction of additional dams and impoundments; to provide for the removal of those already constructed that are not owned by public utilities or governmental bodies; to prescribe remedies and penalties for violations of this Act and to provide otherwise for its enforcement.

Was taken up.

Mr. Stubbs offered the following amendment #1 to the bill:

Amend Section 7 by striking out the words and figures 300 yards and insert in lieu thereof the words and figures 500 feet.

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

Messrs.:	Barron	Brassell	Coshatt
Adams	Benton	Carnes	Cottingham
Adwell	Boles	Casey	Crawford
Agee	Bowers	Connell	Culver

Dill	Hearn	Manley	St. John
Downing	Hill	May	Smith (K)
Drake	Hughes	Mims	Snell
Easters	Jackson	Naramore	Stokes
Edwards	King	Nettles	Therrell
Ellis	Kinsey	Owens	Turner
Erdreich	Lang	Parker	Waggoner
Falkenburg	Lutz	Perloff	Waldrop
Fite	McBride	Porter	Wallace
Goodwin	McCluskey	Pruitt	Williams
Grainger	McDonald	Reed (T)	Wise
Gray (F)	McMillan	Reynolds	Wood
Grey (D)	McNair	Roberts	Wynot

—67

Mr. Stubbs offered the following amendment #2 to the bill, H. 823 as amended:

Amend Section 7 by adding at the end thereof the following sentence:

"Provided further that no spoils or overburden from the surface mining of coal, iron or gravel shall be deposited closer than 500 feet of the Cahaba River."

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Dill	Jackson	Porter
Adams	Doss	King	Pruitt
Adwell	Downing	Kinsey	Reed (T)
Agee	Drake	Lang	Reynolds
Barkett	Easters	Lutz	Roberts
Barron	Ellis	McBride	St. John
Benton	Erdreich	McDonald	Smith (K)
Boles	Falkenburg	McMillan	Snell
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Merrill	Turner
Carnes	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Connell	Harris	Nettles	Wallace
Coshatt	Headley	O'Daniel	Williams
Cottingham	Hearn	Owens	Wise
Crawford	Hill	Parker	Wood
Culver	Hughes	Perloff	Wynot

—75

Mr. Stubbs offered the following amendment #3 to the bill, H. 823 as amended:

Amend Section 7 by striking out the words "or any other mineral".

And the amendment was adopted.

Yeas 70; Nays 0.

Yeas:

Messrs.:	Adwell	Barkett	Benton
Adams	Agee	Barron	Boles

REGULAR SESSION
28th Day

3117

Boutwell	Flippo	McDonald	Roberts
Bowers	Goodwin	McMillan	St. John
Brassell	Grainger	McNair	Smith (K)
Burgess	Gray (F)	Manley	Snell
Carnes	Grey (D)	May	Stokes
Coshatt	Harris	Merrill	Stubbs
Cottingham	Headley	Mims	Therrell
Crawford	Hearn	Naramore	Turner
Culver	Hill	Nettles	Waggoner
Dill	Hughes	Owens	Waldrop
Downing	Jackson	Parker	Wallace
Drake	King	Perloff	Warren
Easters	Lang	Porter	Wise
Edwards	Lutz	Pruitt	Wood
Ellis	McBride	Reed (T)	Wynot
Fite	McCluskey	Reynolds	

—70

UNANIMOUS CONSENT GRANTED

At the request of Mr. Headley, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 2.

H. 823 RESUMED

The question was then on the adoption of the amendment reported by the Standing Committee on Conservation, said Committee amendment being as follows:

House Bill 823 is hereby amended by adding the following sentence after the last sentence of Section 5, paragraph (a) of that bill:

Provided, however, that if the Water Improvement Commission determines that a longer period is needed for upgrading to best possible treatment a longer period of time may be allowed not to exceed 3 years from the effective date of this Act.

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Reynolds
Adams	Downing	Lang	Roberts
Adwell	Drake	Lutz	St. John
Agee	Easters	McBride	Smith (K)
Barkett	Edwards	McDonald	Snell
Barron	Ellis	McMillan	Stewart
Benton	Falkenburg	McNair	Stokes
Boles	Fite	Manley	Therrell
Boutwell	Goodwin	May	Turner
Bowers	Grainger	Merrill	Waggoner
Brassell	Gray (F)	Mims	Waldrop
Burgess	Grey (D)	Naramore	Wallace
Carnes	Harris	Nettles	Warren
Casey	Headley	Parker	Williams
Connell	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hughes	Pruitt	Wynot
Culver	Jackson	Reed (T)	

—71

Mr. Stubbs offered the following amendment #4 to the bill, H. 823 as amended:

Amend Section 7 by adding at the end thereof the following sentence:

"It shall be unlawful for any person or entity to surface mine limestone within a horizontal distance of 200 feet of the Cahaba River, or to deposit any spoils or overburden within a horizontal distance of 200 feet of the Cahaba River."

And the amendment was adopted.

Yeas 72; Nays 1.

Yeas:

Messrs.:	Easters	Lang	Reynolds
Adams	Edwards	Lutz	Roberts
Adwell	Ellis	McBride	Robertson
Agee	Falkenburg	McCluskey	St. John
Barkett	Fite	McDonald	Smith (K)
Barron	Flippo	McMillan	Snell
Benton	Goodwin	McNair	Stewart
Boles	Grainger	Manley	Stokes
Boutwell	Gray (F)	May	Stubbs
Bowers	Grey (D)	Merrill	Therrell
Brassell	Harris	Mims	Turner
Burgess	Headley	Naramore	Waggoner
Carnes	Hearn	Nettles	Waldrop
Connell	Hill	Owens	Wallace
Coshatt	Hughes	Parker	Warren
Cottingham	Jackson	Perloff	Wise
Culver	King	Porter	Wood
Doss	Kinsey	Pruitt	Wynot
Downing			

—72

Nay: Mr. Dill.

—1

Mr. Boles offered the following amendment to the bill, H. 823 as amended:

Amend H. B. 823 as follows:

There will not be a garbage dump within 1,000 feet of the river.

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Messrs.:	Connell	Goodwin	McBride
Adams	Coshatt	Grainger	McDonald
Adwell	Cottingham	Gray (F)	McMillan
Agee	Culver	Grey (D)	McNair
Benton	Dill	Harris	Manley
Boles	Doss	Headley	Mathews
Boutwell	Downing	Hearn	Merrill
Bowers	Easters	Hughes	Mims
Brassell	Edwards	Jackson	Naramore
Burgess	Ellis	Jones (F)	Nettles
Carnes	Erdreich	King	O'Daniel
Carter	Falkenburg	Kinsey	Owens
Cauthen	Fite	Lang	Parker
Chesnut	Gafford	Lutz	Porter

REGULAR SESSION
28th Day

3119

Pruitt	Slate	Therrell	Wallace
Reed (T)	Smith (K)	Turner	Warren
Reynolds	Snell	Turnham	Weeks
Roberts	Stewart	Waggoner	Wise
Robertson	Stokes	Waldrop	Wynot
St. John	Stubbs		

—77

And the bill, H. 823 as thus amended, was read a third time at length and passed.

Yeas 78; Nays 2.

Yeas:

Messrs.:	Dill	Kinsey	Robertson
Adams	Doss	Lang	St. John
Adwell	Downing	Lutz	Slate
Agee	Easters	McBride	Smith (K)
Barkett	Edwards	McDonald	Snell
Benton	Ellis	McMillan	Stewart
Boles	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Merrill	Therrell
Brassell	Goodwin	Naramore	Turner
Burgess	Grainger	Nettles	Turnham
Carnes	Gray (F)	O'Daniel	Waggoner
Carter	Grey (D)	Owens	Waldrop
Casey	Harris	Parker	Wallace
Cauthen	Headley	Perloff	Warren
Chesnut	Hearn	Porter	Weeks
Connell	Hughes	Pruitt	Williams
Coshatt	Jackson	Reed (T)	Wise
Cottingham	Jones (F)	Reynolds	Wynot
Culver	King	Roberts	

—78

Nays: Messrs. Flippo and Gafford.

—2

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" on the bill, H. 823, to have their names added as co-sponsors.

And the bill:

H. 1630. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

Was taken up.

Mr. Grainger offered the following amendment to the bill:

Amend Section 1 by striking Section 2 (1) in its entirety and substituting therefor the following:

(1) All material, including without limitation coke and tobacco leaf stored in hogsheads, to be compounded or further manufactured, when stocked at any plant, furnace or warehouse, for manufacturing purposes in Alabama.

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Pruitt
Adams	Downing	King	Reynolds
Agee	Drake	Kinsey	Robertson
Barkett	Easters	Lutz	Slate
Benton	Edwards	McCluskey	Smith (K)
Boles	Ellis	McCorquodale	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Bowers	Falkenburg	McMillan	Stokes
Brassell	Fite	Manley	Stubbs
Burgess	Gafford	May	Therrell
Carnes	Goodwin	Merrill	Waggoner
Carter	Grainger	Mims	Waldrop
Cauthen	Gray (F)	Naramore	Wallace
Collins	Grey (D)	Nettles	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Crowe	Hughes	Porter	Wynot
Culver			

—69

And the bill, H. 1630 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	Reynolds
Agee	Edwards	Lutz	Robertson
Barkett	Ellis	McBride	St. John
Benton	Erdreich	McCluskey	Slate
Boles	Falkenburg	McCorquodale	Smith (K)
Boutwell	Fite	McMillan	Smith (P)
Bowers	Flippo	Manley	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Therrell
Carnes	Grainger	Merrill	Turner
Casey	Gray (F)	Mims	Waggoner
Chesnut	Grey (D)	Naramore	Waldrop
Collins	Harris	Nettles	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hughes	Parker	Weeks
Cottingham	Jackson	Porter	Williams
Culver	Jones (F)	Pruitt	Wynot
Downing	King		

—70

And the bill:

H. 1631. Relating to taxation, to provide for an exemption from ad valorem taxation of personal property in transit through this state, or in storage in a public or private warehouse or other storage facility for shipment to a destination outside this state, to declare the policy of this state to encourage the development of this state as a distribution center; to provide for certain warehouse or storage facility records with regard to such property; and to repeal inconsistent laws.

REGULAR SESSION
28th Day

3121

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker	Doss	Jones (F)	Reynolds
Adams	Downing	King	Roberts
Agee	Drake	Kinsey	Robertson
Barkett	Easters	Lutz	St. John
Barron	Edwards	McBride	Slate
Benton	Ellis	McCluskey	Smith (K)
Boles	Erdreich	McCorquodale	Smith (P)
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Fite	McMillan	Stubbs
Brassell	Flippo	McNair	Therrell
Burgess	Gafford	Manley	Turner
Carnes	Goodwin	Merrill	Waggoner
Carter	Grainger	Mims	Waldrop
Casey	Gray (F)	Naramore	Wallace
Chesnut	Gray (D)	Nettles	Warren
Collins	Harris	Owens	Weeks
Coshatt	Headley	Parker	Williams
Cottingham	Hill	Porter	Wise
Crowe	Hughes	Pruitt	Wynot
Culver	Jackson		

—78

Nay: Mr. Cauthen.

—1

UNANIMOUS CONSENT GRANTED

At the request of Mr. Ellis, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1631.

And the bill:

H. 1723. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Casey	Ellis	Hughes
Adams	Cauthen	Erdreich	Jones (F)
Agee	Chesnut	Falkenburg	King
Barkett	Collins	Fite	Kinsey
Barron	Coshatt	Flippo	Lutz
Benton	Cottingham	Gafford	McBride
Boles	Crowe	Goodwin	McCluskey
Boutwell	Culver	Grainger	McDonald
Bowers	Doss	Gray (F)	McMillan
Brassell	Downing	Hale	McNair
Burgess	Drake	Harris	Manley
Carnes	Easters	Headley	May
Carter	Edwards	Hill	Merrill

Mims	Pruitt	Snell	Waldrop
Naramore	Reynolds	Stewart	Wallace
Nettles	Roberts	Stokes	Warren
O'Daniel	Robertson	Stubbs	Weeks
Owens	St. John	Therrell	Williams
Parker	Slate	Turner	Wise
Perloff	Smith (K)	Waggoner	Wynot
Porter	Smith (P)		

—82

UNANIMOUS CONSENT GRANTED

At the request of Mr. Headley, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1723.

And the bill:

H. 18. (With Substitute): To amend the "Mini Code," Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance charge for any loan or forbearance and for any credit sale so as to reduce the maximum rate of the interest permissible under such law.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Banking, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend the "Mini Code," Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance charge for any loan or forbearance and for any credit sale so as to reduce the maximum rate of the interest permissible under such law.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of the "Mini Code," Act No. 2052, S. B. 122, of the Regular Session of 1971, approved October 1, 1971, is hereby amended to read as follows:

"Section 2. The maximum finance charge "for any loan or forbearance and for any credit sale (except under open end credit plans) may equal but may not exceed the greater of the following:

"(a) The total of:

"(i) \$10 per \$100 per year for that portion of the original principal amount of the loan or original amount financed and not exceeding \$1,000;

"(ii) \$8 per \$100 per year for that portion of the original principal amount of the loan or original amount financed exceeding 1,000 and not exceeding \$2,000;

"or,

"(b) If the original principal amount of the loan or original amount financed exceeds \$2,000, \$8 per \$100 per year the original principal amount of the loan or amount financed.

28th Day

"The maximum finance charge under paragraphs (a) and (b) shall be determined by computing the maximum rates authorized by paragraphs (a) and (b) on the original principal amount of the loan or original amount financed for the full term of the contract without regard to scheduled payments and the maximum finance charge so determined (or any lesser amount) may be added to the original principal amount of the loan or original amount financed.

"If the debt is created under an open end credit plan, the maximum finance charge in connection therewith shall be one and one half percent (1½ %) per month of the unpaid balance from time to time thereunder."

"A creditor, in connection with any credit sale, other than a sale made under an open end credit plan, may contract for and receive a minimum finance charge not in excess of the following amounts: \$4 on any credit sale in which the amount financed is \$25 or less and \$6 on any credit sale in which the amount financed is more than \$25. On an open end credit plan, if there is an unpaid balance on the date as of which the finance charge is applied, a creditor may contract for and receive a minimum finance charge in an amount computed at a rate not exceeding \$.50 per month."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lutz	St. John
Barkett	Ellis	McBride	Slate
Barron	Erdreich	McCluskey	Smith (K)
Benton	Falkenburg	McDonald	Smith (P)
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stubbs
Brassell	Goodwin	Manley	Therrell
Burgess	Grainger	May	Turner
Carnes	Gray (F)	Merrill	Waggoner
Carter	Grey (D)	Naramore	Waldrop
Cauthen	Harris	Nettles	Wallace
Collins	Headley	O'Daniel	Williams
Connell	Hearn	Owens	Wise
Coshatt	Hill	Pruitt	Wood
Culver	Hughes	Reynolds	Wynot
Doss	Jones (F)		

—70

Mr. Perloff offered the following substitute to the bill, H. 18 as amended:

A BILL
TO BE ENTITLED
AN ACT

To amend the "Mini Code", Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance

charge for any loan or forbearance and for any credit sale so as to reduce certain rates of the interest permissible under such law.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of the "Mini Code", Act No. 2052, S. B. 122, of the Regular Session of 1971, approved October 1, 1971, is hereby amended to read as follows:

"Section 2. The maximum finance charge for any loan or forbearance and for any credit sale (except under open end credit plans) may equal but may not exceed the greater of the following:

"(a) (1) The total of:

"(i) 15 per \$100 per year for the first \$500 of the original principal amount of the loan or amount financed;

"(ii) \$10 per \$100 per year for that portion of the original principal amount of the loan or original amount financed exceeding \$500 and not exceeding \$1000; and

"(iii) \$8 per \$100 per year for that portion of the original principal amount of the loan or original amount financed exceeding \$1,000, and not exceeding \$2,000;

"(a) (2) If the creditor is a bank organized under the laws of this state or of the United States on direct loans, the total of:

"(i) \$10 per \$100 per year for the first \$1,000 of the original principal amount of the loan or amount financed;

"(ii) \$8 per \$100 per year for that portion of the original principal amount of the loan or original amount financed exceeding \$1,000 and not exceeding \$2,000;

"or,

"(b) If the original principal amount of the loan or original amount financed exceeds \$2,000, \$8 per \$100 per year of the original principal amount of the loan or amount financed.

"The maximum finance charge under paragraphs (a) and (b) shall be determined by computing the maximum rates authorized by paragraphs (a) and (b) on the original principal amount of the loan or original amount financed for the full term of the contract without regard to scheduled payments and the maximum finance charges so determined (or any lesser amount) may be added to the original principal amount of the loan or original amount financed.

"If the debt is created under an open end credit plan, the maximum finance charge in connection therewith shall be one (1) per cent per month on the unpaid balance from time to time thereunder.

"A creditor, in connection with any credit sale, other than a sale made under an open end credit plan, may contract for and receive a minimum finance charge not in excess of the following amounts: \$4.00 on any credit sale in which the amount financed is \$25.00 or less and \$6.00 on any credit sale in which the amount financed is more than \$25.00. On an open end credit

REGULAR SESSION
28th Day

3125

plan, if there is an unpaid balance on the date as of which the finance charge is applied, a creditor may contract for and receive a minimum finance charge in an amount computed at a rate not exceeding \$.50 per month."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

SUBSTITUTE TABLED

On motion of Mr. Stewart, the substitute offered by Mr. Perloff to the bill, H. 18 as amended, was tabled.

Yeas 37; Nays 13.

Yeas:

Messrs.:	Ellis	McDonald	St. John
Barron	Fite	McNair	Smith (K)
Brassell	Flippo	May	Stewart
Carnes	Goodwin	Merrill	Stokes
Cauthen	Grainger	Naramore	Waldrop
Coshatt	Gray (F)	Owens	Wallace
Cottingham	Hale	Porter	Wise
Crowe	Headley	Reynolds	Wood
Culver	Hearn	Roberts	Wynot
Doss	Hughes		

—37

Nays:

Messrs.:	Casey	Harris	Lang
Adams	Collins	Jackson	Nettles
Boutwell	Falkenburg	King	Snell
Callahan	Gafford		

—13

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO POSTPONE LOST

The motion offered by Mr. Mims to temporarily postpone the bill, H. 18 as amended, was lost.

Yeas 34; Nays 38.

Yeas:

Messrs.:	Grey (D)	Mims	St. John
Adams	Headley	Nettles	Snell
Casey	Hughes	O'Daniel	Stokes
Chesnut	Jackson	Owens	Therrell
Collins	Lang	Parker	Turner
Culver	Lutz	Perloff	Williams
Falkenburg	McDonald	Porter	Weeks
Gafford	Manley	Reid (R)	Wynot
Goodwin	Mathews	Reynolds	

—34

Nays:

Mr. Speaker	Barron	Boutwell	Carnes
Adwell	Benton	Bowers	Cauthen

28th Day

Connell	Grainger	McNair	Smith (P)
Coshatt	Gray (F)	Merrill	Stewart
Cottingham	Hale	Naramore	Stubbs
Crowe	Harris	Pruitt	Waldrop
Doss	Hearn	Roberts	Wallace
Drake	Hill	Slate	Williams
Erdreich	King	Smith (K)	Wood
Flippo	Kinsey		

—38

And the bill, H. 18 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 10.

Yeas:

Mr. Speaker	Culver	Hill	Pruitt
Adams	Doss	King	Reynolds
Adwell	Drake	Kinsey	Roberts
Barkett	Easters	Lutz	St. John
Barron	Edwards	McCluskey	Slate
Benton	Ellis	McCorquodale	Smith (K)
Boles	Erdreich	McDonald	Smith (P)
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Therrell
Burgess	Goodwin	May	Turner
Carnes	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Waldrop
Collins	Hale	Naramore	Wallace
Connell	Harris	O'Daniel	Warren
Coshatt	Headley	Owens	Williams
Cottingham	Hearn	Parker	Wynot
Crowe			

—69

Nays:

Messrs.:	Hughes	Nettles	Snell
Casey	Lang	Perloff	Stokes
Gafford	Mathews	Porter	

—10

And the bill:

H. 1136. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$2,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary fund and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds;

28th Day

to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of Authority."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 2.

Yeas:

Mr. Speaker	Drake	King	Reynolds
Adams	Easters	Kinsey	Roberts
Adwell	Edwards	Lutz	St. John
Barkett	Ellis	McBride	Smith (K)
Barron	Erdreich	McCluskey	Smith (P)
Benton	Falkenburg	McCorquodale	Stokes
Boutwell	Fite	McDonald	Stubbs
Bowers	Flippo	McMillan	Therrell
Brassell	Gafford	McNair	Turner
Carnes	Goodwin	Manley	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Grey (D)	Naramore	Wallace
Chesnut	Hale	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Coshatt	Headley	Owens	Williams
Cottingham	Hearn	Porter	Wise
Culver	Hill	Pruitt	Wynot
Doss	Jackson	Reed (T)	—71

Nays: Messrs. Crowe and Slate.

—2

And the bill:

H. 1138. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$2,000,000 in aggregate principal amount.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 1.

Yeas:

Mr. Speaker	Boutwell	Cauthen	Crowe
Adams	Bowers	Chesnut	Culver
Adwell	Brassell	Collins	Doss
Barkett	Carnes	Connell	Drake
Barron	Carter	Coshatt	Easters
Benton	Casey	Cottingham	Edwards

28th Day

Ellis	Hughes	Mims	Smith (K)
Erdreich	Jackson	Naramore	Smith (P)
Falkenburg	King	Nettles	Stokes
Fite	Kinsey	O'Daniel	Stubbs
Flippo	Lang	Owens	Therrell
Gafford	Lutz	Parker	Turner
Goodwin	McBride	Perloff	Waggoner
Grainger	McCluskey	Porter	Waldrop
Gray (F)	McCorquodale	Pruitt	Wallace
Grey (D)	McDonald	Reed (T)	Warren
Harris	McMillan	Reynolds	Weeks
Headley	McNair	Roberts	Williams
Hearn	Manley	Robertson	Wise
Hill	May	St. John	Wynot

—80

Nay: Mr. Slate.

—1

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 186. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business on the 29th Legislative Day, taking precedence over any other business of the House:

UNCONTESTED LOCAL BILLS**UNFINISHED BUSINESS****PREVIOUS SPECIAL ORDER CALENDAR**

H. B. 561	Page 69	Medical Benefits for Teachers
H. B. 1702	Page 159	Eggs & Poultry Products
H. B. 1540	Page 97	Excise Tax on Personal Property
H. B. 2	Page 18	Teachers' Retirement System
H. B. 1558	Page 145	Ala. Public School & College Authority
H. B. 1484	Page 104	Public Service Commission Employees
H. B. 176	Page 74	Lunchroom Workers
H. B. 1912	Page	Law Center—U.A.
H. B. 1309	Page 67	Department of Public Safety
H. B. 417	Page 23	Legislative Reference Service
H. B. 1675	Page 156	Cosmetology
H. B. 805	Page 137	Insurance Dividends
H. B. 1132	Page 171	Insurance
H. B. 1591	Page 163	Strip Mining
H. B. 1652	Page 156	Circuit Judges
H. B. 1594	Page 160	F. Morgan
H. B. 389	Page 124	Commercial Fishing Vessels
H. B. 1682	Page 157	City of Montgomery
H. B. 1873	Page	Reapportionment
H. B. 1023	Page 81	Highway Safety

REGULAR SESSION
28th Day

3129

H. B. 1571	Page 147	UAB
H. B. 990	Page 87	Bad Checks
H. B. 289	Page 21	Diagnostic Laboratory at Auburn U.
H. B. 1502	Page 96	Testing of Milk & Cream for Butterfat Content
H. B. 1670	Page 153	Annie Lee Cherry Gym at G. C. Wallace College
H. B. 189	Page 106	Emergency Medical Services
H. B. 569	Page 25	Deputy District Attorneys
H. B. 421	Page 134	Supreme Court Justices
H. B. 374	Page 81	Supernumerary Circuit Judges
H. B. 1384	Page 115	State Commission on Salaries to assist Leg.
H. B. 1467	Page 91	Boat Registration
H. B. 286	Page 132	Per diem for State Officers
H. B. 985	Page 133	Taxation Exemptions
H. B. 485	Page 135	Policeman Retirement System
H. B. 1248	Page 63	System of Law for Corporations
H. B. 315	Page 142	Medical Services by Chiropractors
H. B. 285	Page 19	Authorizes cities to provide buildings & facilities to be used by organizations
H. B. 339	Page 131	Department of Agriculture
H. B. 142	Page 36	Duties for School Principals
H. B. 265	Page 84	Group Insurance for School Board Employees
H. B. 1349	Page 126	Income Tax Exemptions
H. B. 1334	Page 70	Scholarships for study of Dentistry
H. B. 1335	Page 70	Scholarships for Medical Education
H. B. 1435	Page 134	Ad Valorem Tax Exemptions
H. B. 216	Page 84	Employees Retirement System
H. B. 1530	Page 114	Privilege Tax Against Persons Engaged in Leasing & Renting Property
H. B. 851	Page 92	Firefighting Vehicles
H. B. 834	Page 148	Firefighters & FOP
H. B. 46	Page	
H. B. 1515	Page 173	Execution of Bonds on Tax Collectors
H. B. 167	Page 112	Electronic Voting

Mr. Easters offered the following amendment to the resolution:

Amend H. R. 186 by adding at the top of the first page the following:

H. B. 323 Page 149 APPROPRIATIONS FOR CAPITAL OUT-LAY.

MOTION TO TABLE LOST

The motion of Mr. Drake to table the amendment offered by Mr. Easters to the resolution, H. R. 186, was lost.

Yeas 23; Nays 36.

Yeas:

Mr. Speaker	Edwards	Mathews	Smith (P)
Adams	Erdreich	Merrill	Therrell
Collins	Fite	Nettles	Turner
Dill	Jackson	Owens	Waldrop
Doss	McCorquodale	Porter	Weeks
Drake	McNair	Slate	

—23

Nays:

Messrs.:	Cottingham	Headley	Parker
Adwell	Crowe	Hearn	Pruitt
Agee	Downing	Hill	Reed (T)
Barkett	Easters	Hughes	Smith (K)
Barron	Gafford	King	Stubbs
Benton	Goodwin	Kinsey	Waggoner
Boutwell	Grainger	Lutz	Warren
Carnes	Gray (F)	May	Wood
Carter	Hale	Naramore	Wynot
Coshatt			

—36

AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Easters to the resolution, H. R. 186, and the amendment was adopted.

Yeas 44; Nays 20.

Yeas:

Messrs.:	Crowe	Hill	Pruitt
Adwell	Downing	Hughes	Reed (T)
Agee	Easters	Jackson	Slate
Barkett	Fite	King	Stubbs
Barron	Gafford	Kinsey	Waggoner
Benton	Goodwin	Lutz	Waldrop
Boutwell	Grainger	Manley	Wallace
Carnes	Gray (F)	May	Warren
Carter	Hale	Naramore	Weeks
Cauthen	Headley	Parker	Wood
Coshatt	Hearn	Perloff	Wynot
Cottingham			

—44

Nays:

Mr. Speaker	Dill	McCluskey	Porter
Adams	Drake	McCorquodale	Reynolds
Burgess	Edwards	Mathews	St. John
Collins	Erdreich	Nettles	Smith (P)
Connell	Harris	Owens	Turner

—20

Mr. Stokes offered the following amendment to the resolution, H. R. 186 as amended:

Amend H. R. 186 by adding at the end thereof:

H. B. 439 Page 8 Refund of Security Deposits.

MOTION TO TABLE LOST

The motion of Mr. Drake to table the amendment offered by Mr. Stokes to the resolution, H. R. 186 as amended, was lost.

Yeas 27; Nays 29.

Yeas:

Mr. Speaker	Culver	Jackson	Perloff
Boles	Dill	Kinsey	Porter
Bowers	Doss	Lutz	Reynolds
Burgess	Downing	McDonald	St. John
Callahan	Drake	Merrill	Turner
Collins	Grainger	Owens	Wood
Connell	Hearn	Parker	

—27

Nays:

Messrs.:	Crowe	King	Reed (T)
Agee	Easters	McCorquodale	Roberts
Barron	Flippo	McNair	Stokes
Brassell	Gray (F)	Manley	Therrell
Carnes	Harris	May	Waldrop
Carter	Headley	Naramore	Weeks
Cauthen	Hill	Nettles	Wynot
Coshatt	Hughes		

—29

AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Stokes to the resolution, H. R. 186 as amended, and the amendment was adopted.

Yeas 40; Nays 20.

Yeas:

Messrs.:	Culver	Hughes	Roberts
Agee	Downing	King	St. John
Barron	Easters	Kinsey	Smith (P)
Boutwell	Flippo	McCorquodale	Stewart
Brassell	Goodwin	McDonald	Stokes
Carnes	Gray (F)	Manley	Stubbs
Carter	Harris	May	Therrell
Cauthen	Headley	Naramore	Waldrop
Coshatt	Hearn	Nettles	Weeks
Cottingham	Hill	Reed (T)	Wynot
Crowe			

—40

Nays:

Mr. Speaker	Connell	Gafford	Owens
Benton	Dill	Grainger	Parker
Bowers	Doss	Jackson	Perloff
Burgess	Drake	Lutz	Porter
Collins	Fite	Merrill	Reynolds

—20

Mr. Hale offered the following amendment to the resolution, H. R. 186 as amended:

Amend Special order calendar for the 29th Legislative Day by adding at the end House Bills 1241 and 1242.

AMENDMENT TABLED

On motion of Mr. Drake, the amendment offered by Mr. Hale to the resolution, H. R. 186 as amended, was tabled.

Yeas 52; Nays 17.

Yeas:

Mr. Speaker	Cottingham	Kinsey	Porter
Adams	Crowe	Lang	Reid (R)
Agee	Culver	McCorquodale	Robertson
Barkett	Dill	McDonald	St. John
Boles	Drake	Manley	Slate
Bowers	Ellis	May	Smith (K)
Brassell	Fite	Merrill	Therrell
Burgess	Gafford	Mims	Turner
Carter	Goodwin	Naramore	Wallace
Casey	Grainger	O'Daniel	Warren
Cauthen	Grey (D)	Owens	Williams
Collins	Hearn	Parker	Wood
Connell	Jackson	Perloff	Wynot

—52

Nays:

Messrs.:	Gray (F)	McBride	Reynolds
Barron	Hale	McMillan	Stokes
Carnes	Harris	McNair	Waggoner
Downing	Hill	Nettles	Waldrop
Flippo	King		

—17

Mr. Waldrop offered the following amendment to the resolution, H. R. 186 as amended:

Amend Special order calendar for the twenty-ninth legislative day as follows:

Add H. B. 233 and H. B. 234 to the end of the Calendar.

AMENDMENT TABLED

On motion of Mr. Drake, the amendment offered by Mr. Waldrop to the resolution, H. R. 186 as amended, was tabled.

Yeas 47; Nays 20.

Yeas:

Mr. Speaker	Drake	Lutz	Reynolds
Adams	Falkenburg	McBride	St. John
Agee	Fite	McCorquodale	Slate
Bowers	Gafford	McDonald	Turner
Burgess	Goodwin	Manley	Turnham
Carter	Grainger	Merrill	Waggoner
Casey	Grey (D)	Mims	Wallace
Collins	Harris	Nettles	Warren
Connell	Hearn	O'Daniel	Weeks
Culver	Hughes	Owens	Williams
Dill	Jackson	Parker	Wood
Doss	Lang	Pruitt	

—47

Nays:

Messrs.:	Cottingham	King	Porter
Barron	Crowe	Kinsey	Smith (K)
Boles	Downing	McNair	Stokes
Boutwell	Gray (F)	Naramore	Waldrop
Carnes	Hale	Perloff	Wynot
Coshatt			

—20

And the resolution, H. R. 186:

By Rules Committee

H. R. 186. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business on the 29th Legislative Day, taking precedence over any other business of the House:

UNCONTESTED LOCAL BILLS

UNFINISHED BUSINESS

PREVIOUS SPECIAL ORDER CALENDAR

H. B. 323	Page 120	Appropriations for Capital Outlay
H. B. 561	Page 54	Medical Benefits for Teachers
H. B. 1702	Page 128	Eggs & Poultry Products
H. B. 2	Page 13	Teachers' Retirement System
H. B. 1558	Page 116	Ala. Public School & College Authority
H. B. 1484	Page 83	Public Service Commission Employees
H. B. 176	Page 57	Lunchroom Workers
H. B. 1309	Page 53	Department of Public Safety
H. B. 417	Page 18	Legislative Reference Service
H. B. 1675	Page 127	Cosmetology
H. B. 805	Page 109	Insurance Dividends
H. B. 1132	Page 137	Insurance
H. B. 1591	Page 132	Strip Mining
H. B. 1652	Page 127	Circuit Judges
H. B. 1594	Page 129	Ft. Morgan
H. B. 389	Page 97	Commercial Fishing Vessels
H. B. 1682	Page 128	City of Montgomery
H. B. 1873	Page 151	Reapportionment
H. B. 1023	Page 64	Employees' & Teachers' Retirement System
H. B. 1571	Page 118	UAB
H. B. 990	Page 68	Bad Checks
H. B. 289	Page 16	Diagnostic Laboratory at Auburn U.
H. B. 1502	Page 77	Testing of Milk & Cream for Butterfat Content
H. B. 1670	Page 124	Annie Lee Cherry Gym at G. C. Wallace College
H. B. 189	Page 85	Emergency Medical Services
H. B. 569	Page 20	Deputy District Attorneys

H. B. 421	Page 105	Supreme Court Justices
H. B. 374	Page 64	Supernumerary Circuit Judges
H. B. 1384	Page 93	State Commission on Salaries to assist Leg.
H. B. 1467	Page 72	Boat Registration
H. B. 286	Page 104	Per diem for State Officers
H. B. 985	Page 104	Taxation Exemptions
H. B. 485	Page 106	Police Retirement
H. B. 315	Page 113	Medical Services by Chiropractors
H. B. 285	Page 14	Authorizes cities to provide buildings & facilities to be used by organizations
H. B. 339	Page 102	Department of Agriculture
H. B. 142	Page 28	Duties for School Principals
H. B. 265	Page 66	Group Insurance for School Board Employees
H. B. 1349	Page 99	Income Tax Exemptions
H. B. 1334	Page 56	Scholarships for study of Dentistry
H. B. 1335	Page 55	Scholarships for Medical Education
H. B. 1435	Page 106	Ad Valorem Tax Exemptions
H. B. 216	Page 66	Employees Retirement System
H. B. 1530	Page 92	Privilege Tax Against Persons Engaged in Leasing & Renting Property
H. B. 851	Page 73	Firefighting Vehicles
H. B. 834	Page 119	Firefighters & FOP
H. B. 46	Page 152	Tax Assessor—Each County estimate all real & personal property for ad valorem tax.
H. B. 1515	Page 138	Execution of Bonds on Tax Collectors
H. B. 167	Page 90	Electronic Voting
H. B. 439	Page 7	Refund of Security Deposits

As thus amended, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 387. To increase available funds for the financing of residential housing for persons and families of low and moderate income through the creation of a public corporation of the State with public and corporate powers to be known as the Alabama Housing Development Corporation; defining its duties, powers, authorizing the purchase by the Alabama Housing Development Corporation of existing mortgages from "mortgage lenders" within the state and authorizing loans by the Alabama Housing Development Corporation to "mortgage lenders" within the state for the purpose of furnishing and providing funds for new residential mortgages for persons and families of low and moderate income; authorizing the issuance of bonds and

notes of the corporation to assist in the financing of such housing and providing for the terms, security, payment and taxation thereof.

TOM DRAKE,
Chairman.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 84. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES, concurring That when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 14, 1973.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Lyons, the House concurred in and adopted the resolution, S. J. R. 84, set out in the above and foregoing Message from the Senate.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Callahan, the rules were suspended in order to bring up out of order the bill, H. 1248.

Yeas 61; Nays 5.

Yeas:

Mr. Speaker	Dill	Kinsey	Reynolds
Adams	Downing	Lang	Roberts
Agee	Drake	Lutz	Robertson
Barkett	Ellis	McBride	Smith (K)
Barron	Goodwin	McCluskey	Snell
Benton	Grainger	McCorquodale	Stewart
Boles	Grey (D)	Manley	Stokes
Boutwell	Hale	May	Stubbs
Burgess	Headley	Mims	Therrell
Carnes	Hearn	Nettles	Waggoner
Carter	Hill	O'Daniel	Warren
Cauthen	Hughes	Parker	Weeks
Collins	Jackson	Perloff	Williams
Coshatt	Jones (F)	Pruitt	Wood
Cottingham	King	Reid (R)	Wynot
Culver			

—61

Nays:

Messrs.:	Crowe	Merrill	Wallace
Bowers	McNair		

—5

And the bill:

H. 1248. To supplement Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as heretofore amended, so as to

provide a comprehensive system of law applicable to any corporation organized pursuant to the said Act, the service area of which includes a resort area and which has obtained the express approval of the governing body of each county in which it carries on its operations to exercise the powers conferred hereby; to permit such a corporation to construct improvements consisting of sanitary sewers and sewer facilities in resort areas located within its service area which are outside the corporate limits of any municipality and within the service area of such corporation; to provide a method for the assessment of the cost of any such improvements against the property abutting on, or drained, served, or benefited by such improvements; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement; to provide for supervision of the work; to provide for the levy of assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Was taken up.

Mr. Callahan offered the following amendment #1 to the bill:

Amend Section 1 of H. B. 1248 by adding the following definition:

"Property" means only land which has been sub-divided and platted.

REGULAR SESSION
28th Day

3137

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Downing	Lang	Reynolds
Adams	Drake	Lutz	Roberts
Adwell	Easters	McBride	Robertson
Agee	Edwards	McCluskey	St. John
Barkett	Ellis	McCorquodale	Slate
Barron	Erdreich	McDonald	Smith (K)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	Manley	Stewart
Boutwell	Gafford	Mathews	Stokes
Bowers	Goodwin	May	Stubbs
Brassell	Grainger	Merrill	Therrell
Burgess	Gray (F)	Mims	Turner
Callahan	Grey (D)	Naramore	Turnham
Carnes	Hale	Nettles	Waggoner
Carter	Headley	O'Daniel	Waldrop
Casey	Hearn	Owens	Wallace
Collins	Hughes	Parker	Warren
Coshatt	Jackson	Perloff	Weeks
Cottingham	Jones (F)	Porter	Williams
Culver	King	Pruitt	Wood
Dill	Kinsey	Reid (R)	Wynot
Doss			

—85

Mr. Callahan offered the following amendment #2 to the bill, H. 1248 as amended:

Amend H. B. 1248 and Section 40 thereof by changing the words and figures 1,000.00 wherever they appear therein to the words and figures \$25.00.

And the amendment was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Easters	Lang	Roberts
Adams	Ellis	Lutz	Robertson
Agee	Erdreich	McCluskey	St. John
Barkett	Falkenburg	McMillan	Smith (K)
Barron	Fite	Mathews	Snell
Boles	Flippo	May	Stokes
Boutwell	Gafford	Merrill	Stubbs
Bowers	Goodwin	Naramore	Turner
Brassell	Grey (D)	Nettles	Turnham
Burgess	Hale	O'Daniel	Waggoner
Callahan	Headley	Owens	Waldrop
Carnes	Hearn	Parker	Wallace
Collins	Hill	Perloff	Warren
Cottingham	Hughes	Porter	Weeks
Culver	Jackson	Pruitt	Williams
Dill	Jones (F)	Reid (R)	Wood
Doss	King	Reynolds	Wynot
Downing	Kinsey		

—70

And the bill, H. 1248 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	Reynolds
Adams	Easters	Lang	Roberts
Agee	Edwards	Lutz	Robertson
Barkett	Ellis	McBride	St. John
Barron	Erdreich	McCluskey	Slate
Benton	Falkenburg	McDonald	Smith (K)
Boles	Fite	McMillan	Snell
Boutwell	Flippo	Manley	Stewart
Bowers	Gafford	Mathews	Stokes
Brassell	Goodwin	May	Stubbs
Burgess	Grainger	Merrill	Therrell
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Nettles	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Coshatt	Hearn	Perloff	Warren
Cottingham	Hill	Porter	Weeks
Culver	Hughes	Pruitt	Williams
Dill	Jones (F)	Reed (T)	Wood
Doss	King	Reid (R)	Wynot
Downing			

—85

SPECIAL ORDER RESUMED

And the bill:

H. 517. Relating to the uniform commercial code, amending Section 9-403 through 9-407, inclusive, of Act No. 549, S. 2, Regular Session 1965 (Acts 1965, p. 811), respecting the filing of secured transactions, so as to increase the fees to be paid the filing officer for the performance of certain duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Coshatt	Gafford	Lutz
Adwell	Cottingham	Goodwin	McBride
Agee	Culver	Grainger	McCluskey
Barron	Dill	Grey (D)	McCorquodale
Benton	Doss	Hale	McDonald
Boles	Downing	Headley	McMillan
Bowers	Drake	Hearn	May
Brassell	Easters	Hill	Merrill
Burgess	Edwards	Hughes	Naramore
Callahan	Ellis	Jones (F)	Nettles
Carnes	Falkenburg	King	Owens
Casey	Fite	Kinsey	Parker
Collins	Flippo	Lang	Perloff

Pruitt	St. John	Stubbs	Wallace
Reid (R)	Slate	Therrell	Warren
Reynolds	Smith (K)	Turner	Weeks
Roberts	Stewart	Turnham	Williams
Robertson	Stokes	Waldrop	—71

Nays: Messrs. Cauthen, Crowe and Erdreich. —3

And the bill:

H. 1061. (With Substitute): To provide salary increases for state merit system employees; and to appropriate funds therefor.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide salary increases for state employees; and to appropriate funds therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. Beginning with the first pay period beginning on or after October 1, 1973, all state employees subject to the merit system law shall receive a cost of living increase in pay in an amount equivalent to a two-step raise in the pay plan for the class of positions in which they are each employed; and beginning with the first pay period beginning on or after October 1, 1974, all such employees shall receive an additional one-step increase in pay; and all other state employees not subject to the merit system law, shall be entitled to cost of living increases in pay at the same times and in such amounts as is equal to the percentage of their rates of pay which is the equivalent of the percentage of the increase given to state employees subject to the state merit system law. All such increases shall be in addition to the salary received by such employees immediately prior to the effective date of such increase.

Section 2. The director of the state personnel department shall revise the schedule of rates set forth in the pay plan for state employees subject to the merit system law to reflect the increases herein provided and shall certify the same to the state comptroller, who shall issue his warrants in accordance therewith. The comptroller shall revise the rates of pay for state employees not subject to the state merit system law to reflect the increases herein provided and shall draw his warrants in accordance therewith.

Section 3. Such amounts as may be necessary to pay state employees the increased salaries herein provided are hereby appropriated for each of the fiscal years beginning October 1, 1973, and October 1, 1974, from such funds as the salaries of the several state employees are, respectively, paid, or if there is not sufficient money in such funds, then from the general fund or any other fund in the state treasury not otherwise appropriated.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Porter
Adwell	Downing	Jones (F)	Reid (R)
Agee	Drake	King	Reynolds
Barkett	Easters	Kinsey	Roberts
Barron	Edwards	Lang	Robertson
Benton	Ellis	Lutz	St. John
Boles	Erdreich	McCluskey	Slate
Boutwell	Falkenburg	McCorquodale	Smith (K)
Bowers	Fite	McDonald	Stewart
Brassell	Flippo	McMillan	Stokes
Burgess	Gafford	McNair	Stubbs
Callahan	Goodwin	Manley	Therrell
Carnes	Grainger	Mathews	Turner
Carter	Gray (F)	May	Turnham
Casey	Gray (D)	Merrill	Waggoner
Collins	Hale	Mims	Waldrop
Coshatt	Harris	Naramore	Wallace
Cottingham	Headley	Nettles	Warren
Crowe	Hearn	O'Daniel	Weeks
Culver	Hill	Owens	Williams
Dill	Hughes	Perloff	Wynot

—84

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" on the bill, H. 1061, to have their names added as co-sponsors.

And the bill:

H. 1061. To provide salary increases for state employees; and to appropriate funds therefor.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 3.

Yeas:

Mr. Speaker	Brassell	Culver	Flippo
Adams	Burgess	Doss	Gafford
Adwell	Carnes	Downing	Goodwin
Agee	Carter	Drake	Grainger
Barkett	Casey	Easters	Gray (F)
Barron	Chesnut	Edwards	Gray (D)
Benton	Collins	Ellis	Hale
Boles	Coshatt	Erdreich	Harris
Boutwell	Cottingham	Falkenburg	Headley
Bowers	Crowe	Fite	Hill

REGULAR SESSION

3141

28th Day

Hughes	Manley	Pruitt	Stubbs
Jackson	Mathews	Reid (R)	Therrell
Jones (F)	May	Reynolds	Turner
King	Merrill	Roberts	Turnham
Kinsey	Mims	Robertson	Waggoner
Lang	Naramore	St. John	Waldrop
Lutz	Nettles	Slate	Wallace
McCluskey	O'Daniel	Smith (K)	Warren
McCorquodale	Owens	Smith (P)	Weeks
McDonald	Parker	Snell	Wood
McMillan	Perloff	Stewart	Wynot
McNair	Porter	Stokes	
			—87
Nays:	Messrs. Cauthen, Dill and Hearn.		—3

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Burgess, the rules were suspended in order to bring up out of order the bill, H. 1550.

Yeas 53; Nays 2.

Yeas:

Messrs.:	Edwards	McMillan	Slate
Agee	Grainger	Manley	Smith (K)
Barron	Hale	Mathews	Smith (P)
Boles	Harris	May	Stewart
Brassell	Headley	Mims	Stokes
Carnes	Hearn	Naramore	Stubbs
Carter	Hill	Nettles	Therrell
Collins	Hughes	O'Daniel	Turnham
Coshatt	Jackson	Porter	Waldrop
Cottingham	Jones (F)	Reid (R)	Wallace
Crowe	Lang	Roberts	Warren
Doss	Lutz	Robertson	Weeks
Downing	McCluskey	St. John	Wynot
Drake	McDonald		
			—53
Nays:	Messrs. Dill and McNair.		—2

And the bill:

H. 1550. To amend and re-enact Act No. 1213, H. 844, Regular Session 1971 (Acts 1971, p. 2115), which provides that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, so as to include officers of the State Department of Conservation and Natural Resources within the provisions of said Act.

Was taken up.

Mr. Smith (P) offered the following substitute to the bill:

A BILL TO BE ENTITLED AN ACT

To amend and re-enact Act No. 1213, H. 844, Regular Session 1971 (Acts 1971, p. 2115), which provides that the disability or death of a municipi-

pal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, so as to include officers of the State Department of Conservation and Natural Resources and cattle theft investigators of the Department of Agriculture, Division of Stockyards and Brands, within the provisions of said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 1213, H. 844, Regular Session 1971 (Acts 1971, p. 2115) is hereby amended to read as follows: ,

"To provide that the disability or death of a municipal law enforcement officer, state trooper, officer of the Department of Conservation and Natural Resources, or cattle theft investigators of the Department of Agriculture, Division of Stockyards and Brands, caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, subject to certain conditions prescribed in the Act, within the meaning of any laws which provide benefits for municipal law enforcement officers, state troopers, conservation officers, or cattle theft investigators who while employed by a municipality, are disabled in the line of duty or for the widow, children or other dependents of city policemen or other municipal law enforcement officers, state troopers, conservation officers, or cattle theft investigators who, while employed by a municipality, are killed in the line of duty."

Section 2. Sections 1, 2, 3, and 4 of Act No. 1213, H. 844, Regular Session 1971 (Acts 1971, p. 2115) are hereby amended to read as follows:

"Section 1. Definitions. As used herein the following words and terms shall have the meanings ascribed to them herein unless a contrary meaning is indicated by the context: 'City' shall mean any municipality of the State regardless of its population provided, however, the term 'city' shall not include any municipality in any county having a population in excess of 600,000 according to the last federal decennial census; 'policeman' shall mean a person employed as a policeman or other law enforcement officer by a city; 'state trooper' shall mean state trooper, highway patrolman, crime investigation officer, driver license examiner, or other police officer personnel of the Alabama department of public safety or law enforcement officer employed by the Alcoholic Beverage Control Board; 'conservation officer' shall mean any individual engaged in law enforcement activities who is employed by the State Department of Conservation and Natural Resources; 'cattle theft investigator' shall mean any person engaged in law enforcement activities employed by the Department of Agriculture, Division of Stockyards and Brands; 'policeman's occupational disease' shall mean any condition or impairment of health caused by hypertension, heart disease or respiratory disease; 'disability' shall mean disability to perform duties as a policeman, state trooper, conservation officer or cattle theft investigator; 'benefit' shall mean any monetary allowance payable by a city, or from a pension system established for the policemen of a city, or in the case of a state trooper, conservation officer or cattle theft investigator from the state employees' retirement system, to a policeman, state trooper, conservation officer or cattle theft investigator on account of his disability, or to his dependents on account of his death, irrespective of whether the same is payable under a pension law of the State or under some other law of the State.

"Section 2. The provisions of this Act shall apply to policemen who upon entering the service of the city as policemen have successfully passed a

28th Day

physical examination which failed to reveal any evidence of a policeman's occupational disease and who have completed at least three years service as a policeman; provided, however, a physical examination was required at the time of entry into service, and shall apply to state troopers who upon entering the service of the State as a state trooper successfully passed a physical examination which failed to reveal any evidence of a policeman's occupational disease, and who has completed no less than three years service as a state trooper, and shall apply to conservation officers who upon entering the service of the State as such officer successfully passed a physical examination which failed to reveal any evidence of a policeman's occupational disease, and who has completed no less than three years service as a state conservation officer and shall apply to cattle theft investigators who upon entering the service of the State have passed a physical examination which failed to reveal any evidence of a policeman's occupational disease, and who has completed no less than three years service as a cattle theft investigator.

Section 3. If a physical examination was not required at the time of entry into service, a policeman, state trooper, conservation officer or cattle theft investigator who has had at least three years continuous service as a policeman, or state trooper next preceding the effective date of this Act, shall be deemed eligible for benefits under the provisions of this Act.

"Section 4. If a policeman, state trooper, conservation officer or cattle theft investigator who qualifies for benefits under the provisions of this Act suffers disability as a result of a policeman's occupational disease his disability shall be compensable the same as any service connected disability under any law which provides benefits for policemen of such city, or if a state trooper, conservation officer, or cattle theft investigator under the state employees' retirement system injured in the line of duty. If a policeman, state trooper, conservation officer, or cattle theft investigator who qualifies for benefits under the provisions of this Act dies as a result of a policeman's occupational disease, his death shall be compensable to the same extent as the death of a policeman, state trooper, conservation officer, or cattle theft investigator killed in the line of duty. Provided, however, that this Act shall not apply to any municipality which has elected to be covered by the Workmen's Compensation laws of this State."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Collins	Erdreich	Hill
Adwell	Connell	Falkenburg	Hughes
Agee	Coshatt	Fite	Jackson
Barron	Cottingham	Flippo	Jones (F)
Boles	Crowe	Gafford	King
Boutwell	Culver	Goodwin	Lang
Bowers	Dill	Grainger	Lutz
Brassell	Doss	Grey (D)	McCluskey
Burgess	Downing	Hale	McCorquodale
Carnes	Drake	Harris	McDonald
Carter	Edwards	Headley	McMillan
Casey	Ellis	Hearn	McNair

Manley	Parker	Smith (K)	Turnham
Mathews	Porter	Smith (P)	Waggoner
May	Pruitt	Snell	Waldrop
Merrill	Reid (R)	Stewart	Wallace
Mims	Roberts	Stokes	Weeks
Naramore	Robertson	Stubbs	Williams
Nettles	St. John	Therrell	Wood
O'Daniel	Slate	Turner	Wynot
Owens			

—81

Mr. Warren offered the following amendment to the bill, H. 1550 as amended:

Amend HB 1550 Section 2 in the part "Section 1. Definitions". In the middle of the paragraph, after the words, " 'conservation officer' shall mean any individual engaged in law enforcement activities who is employed by the State Department of Conservation and Natural Resources" insert the following words: "or who is employed by the Alabama Forestry Commission."

And the amendment was adopted.

Yeas 71; Nays 1.

Yeas:

Mr. Speaker	Downing	Kinsey	Roberts
Adwell	Drake	Lang	Robertson
Agee	Edwards	Lutz	Smith (K)
Barron	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Brassell	Fite	McMillan	Stubbs
Burgess	Gafford	Manley	Therrell
Carnes	Goodwin	Mathews	Turner
Carter	Grainger	May	Turnham
Casey	Grey (D)	Merrill	Waggoner
Cauthen	Hale	Naramore	Waldrop
Connell	Headley	Nettles	Wallace
Coshatt	Hearn	O'Daniel	Weeks
Cottingham	Hughes	Owens	Williams
Crowe	Jackson	Porter	Wood
Dill	Jones (F)	Reid (R)	Wynot
Doss	King	Reynolds	

—71

Nay: Mr. Hill.

—1

Mr. Burgess offered the following amendment to the bill, H. 1550 as amended:

Amend H. B. 1550 by including Board of Corrections Personnel.

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Boles	Carnes	Connell
Adwell	Boutwell	Carter	Coshatt
Agee	Bowers	Casey	Cottingham
Barron	Brassell	Cauthen	Crowe
Benton	Burgess	Collins	Dill

REGULAR SESSION

3145

28th Day

Doss	Hill	Naramore	Snell
Downing	Hughes	Nettles	Stewart
Drake	Jackson	O'Daniel	Stokes
Edwards	Jones (F)	Owens	Stubbs
Ellis	King	Parker	Therrell
Erdreich	Kinsey	Porter	Turner
Falkenburg	Lutz	Pruitt	Turnham
Fite	McCorquodale	Reed (T)	Waggoner
Flippo	McDonald	Reid (R)	Waldrop
Gafford	McMillan	Reynolds	Wallace
Goodwin	McNair	Roberts	Warren
Grainger	Manley	Robertson	Weeks
Grey (D)	Mathews	St. John	Williams
Hale	May	Smith (K)	Wood
Headley	Merrill	Smith (P)	Wynot
Hearn	Mims		

—82

And the bill:

H. 1550. To amend and re-enact Act No. 1213, H. 844, Regular Session 1971 (Acts 1971, p. 2115), which provides that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, so as to include officers of the State Department of Conservation and Natural Resources and cattle theft investigators of the Department of Agriculture, Division of Stockyards and Brands, and Board of Corrections personnel, within the provisions of said Act.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Downing	Lang	Reynolds
Adwell	Drake	Lutz	Roberts
Agee	Edwards	McCluskey	Robertson
Barron	Ellis	McCorquodale	St. John
Benton	Erdreich	McDonald	Smith (K)
Boles	Falkenburg	McMillan	Smith (P)
Boutwell	Fite	McNair	Snell
Bowers	Flippo	Manley	Stewart
Brassell	Gafford	Mathews	Stokes
Burgess	Goodwin	May	Stubbs
Carnes	Grainger	Merrill	Therrell
Carter	Grey (D)	Mims	Turner
Casey	Hale	Naramore	Waggoner
Cauthen	Headley	Nettles	Waldrop
Collins	Hearn	O'Daniel	Wallace
Connell	Hill	Owens	Warren
Coshatt	Hughes	Parker	Weeks
Cottingham	Jackson	Perloff	Williams
Crowe	Jones (F)	Porter	Wood
Dill	King	Pruitt	Wynot
Doss	Kinsey	Reid (R)	

—83

SPECIAL ORDER RESUMED

And the bill:

H. 1315. To amend Section 343 of Title 55, Code of Alabama 1940,

Recompiled 1958, as amended, to provide for an increase in the awarding authority of the State Board of Adjustment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Agee	Drake	Lutz	St. John
Barron	Ellis	McCorquodale	Slate
Boles	Erdreich	McDonald	Smith (K)
Boutwell	Falkenburg	McMillan	Smith (P)
Bowers	Fite	Mathews	Snell
Brassell	Flippo	May	Stewart
Burgess	Goodwin	Merrill	Stubbs
Carnes	Grainger	Mims	Therrell
Casey	Grey (D)	Naramore	Turner
Cauthen	Hale	Nettles	Turnham
Collins	Headley	Owens	Waggoner
Connell	Hearn	Perloff	Waldrop
Coshatt	Hill	Pruitt	Wallace
Cottingham	Hughes	Reed (T)	Weeks
Crowe	Jackson	Reid (R)	Wood
Culver	Jones (F)	Reynolds	Wynot
Dill	King		

—74

And the bill:

H. 1283. To amend Section 8 of Act No. 42 enacted at the 1971 Regular Session of the Legislature, and approved June 29, 1971, relating to Alabama Pollution Control Finance Authority, so as to increase the amount of bonds authorized to be issued by the Authority from \$25,000,000 to \$50,000,000 and to extend the maximum period of repayment of Authority bonds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crowe	Grey (D)	Manley
Agee	Culver	Hale	Mathews
Barron	Dill	Headley	May
Benton	Doss	Hearn	Merrill
Boutwell	Downing	Hill	Mims
Bowers	Drake	Hughes	Naramore
Brassell	Edwards	Jackson	Nettles
Burgess	Ellis	Jones (F)	O'Daniel
Carnes	Erdreich	King	Owens
Carter	Falkenburg	Kinsey	Parker
Casey	Fite	Lang	Perloff
Cauthen	Flippo	Lutz	Porter
Collins	Gafford	McDonald	Pruitt
Coshatt	Goodwin	McMillan	Reid (R)
Cottingham	Grainger	McNair	Reynolds

REGULAR SESSION

3147

28th Day

Roberts	Smith (P)	Turnham	Weeks
Robertson	Stewart	Waggoner	Williams
St. John	Stubbs	Waldrop	Wood
Slate	Therrell	Wallace	Wynot
Smith (K)	Turner		

—78

And the bill:

H. 418. To amend the Title and Sections 1, 4, 7, 8, 9, 12, 14, 15, 20 and 21 of the Alabama Turnpike Authority Act, pertaining, respectively, to Legislative Purpose, Powers of the Authority, Bonds and Notes of the Authority, Security for the Bonds, Tolls and Other Charges, Exemptions from Taxation, Projects to be Kept in Good Repair, Regulations and Police Service for Projects, Refunding Bonds and Preliminary Study of Project.

Was taken up.

Mr. Connell offered the following amendment #1 to the bill:

Section 11 of House Bill No. 418 is hereby amended by striking therefrom the figure \$200,000 wherever it appears in said Section and substituting in lieu thereof the figure \$350,000.

And the amendment was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Edwards	Kinsey	Pruitt
Adwell	Ellis	Lang	Reid (R)
Agee	Erdreich	Lutz	Reynolds
Boles	Fite	McCluskey	St. John
Boutwell	Flippo	McDonald	Slate
Bowers	Gafford	McMillan	Smith (K)
Brassell	Goodwin	McNair	Stewart
Burgess	Grainger	Manley	Stokes
Carnes	Grey (D)	Merrill	Therrell
Carter	Hale	Mims	Turner
Cauthen	Harris	Naramore	Waggoner
Coshatt	Headley	Nettles	Waldrop
Cottingham	Hearn	O'Daniel	Wallace
Crowe	Hill	Owens	Weeks
Culver	Jackson	Parker	Williams
Dill	Jones (F)	Porter	Wynot
Downing	King		

—66

Mr. Connell offered the following amendment #2 to the bill, H. 418 as amended:

Amend Section 4 of H. B. #418 by striking therefrom the first sentence of amended Section 7 in said Section 4 and insert in lieu thereof the following:

"The Authority shall have power from time to time to authorize by resolution, and thereafter to sell and issue, at one time or from time to time, bonds of the Authority for payment of the cost of any turnpike project or projects, or for purposes of effecting any refunding as provided in Section 20 hereof; provided, however, that none of the bonds shall be issued in any instance unless the tolls and other revenues of the turnpike project financed in whole or in part with the proceeds of such issue of bonds (or financed by bonds to be

refunded by such issue) for the fiscal year of the State in which falls the first principal maturity of such issue, as projected and certified to the Authority by a nationally recognized firm of highway traffic engineers (whose qualifications as such shall be determined and certified to the Authority by the State Highway Department), shall be at least seventy-five per centum (75%) of the aggregate of the principal of such issue of bonds and the interest thereon maturing during that same fiscal year of the State together with the total principal and interest maturing during said same fiscal year on all bonds of the Authority then outstanding that were issued to finance in whole or in part said turnpike project or to refund bonds issued for such purpose."

And the amendment was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Edwards	McCluskey	Reynolds
Adwell	Ellis	McDonald	Roberts
Agee	Erdreich	McMillan	St. John
Barron	Falkenburg	McNair	Smith (K)
Boles	Fite	Manley	Stewart
Boutwell	Flippo	May	Stokes
Brassell	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Turner
Carnes	Harris	Naramore	Waggoner
Carter	Headley	Nettles	Waldrop
Coshatt	Hearn	O'Daniel	Wallace
Cottingham	Hill	Parker	Warren
Crowe	Jackson	Perloff	Weeks
Culver	Jones (F)	Porter	Williams
Dill	King	Pruitt	Wood
Doss	Lang	Reid (R)	Wynot
Drake	Lutz		

—66

And the bill, H. 418 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Culver	Hearn	Nettles
Adwell	Dill	Hill	O'Daniel
Agee	Doss	Jackson	Owens
Barkett	Downing	Jones (F)	Parker
Barron	Drake	King	Perloff
Benton	Edwards	Kinsey	Porter
Boles	Ellis	Lang	Pruitt
Boutwell	Erdreich	Lutz	Reid (R)
Bowers	Falkenburg	McCorquodale	Reynolds
Brassell	Fite	McDonald	Roberts
Burgess	Flippo	McMillan	Robertson
Carnes	Gafford	McNair	St. John
Carter	Goodwin	Manley	Slate
Connell	Grainger	May	Smith (K)
Coshatt	Grey (D)	Merrill	Smith (P)
Cottingham	Harris	Mims	Stewart
Crowe	Headley	Naramore	Stokes

REGULAR SESSION
28th Day

3149

Stubbs	Waggoner	Weeks	Wood
Therrell	Waldrop	Williams	Wynot
Turner	Wallace		

—78

And the bill:

H. 692. To amend Section 3 of Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, as amended, so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment, to the extent necessary therefor at their respective maturities, of the principal of and interest on bonds and notes of Alabama Turnpike Authority, and so as to make further provisions regarding the distribution of said share of the net proceeds from said tax.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones (F)	Reid (R)
Adwell	Drake	King	Reynolds
Agee	Edwards	Kinsey	Roberts
Barkett	Ellis	Lang	St. John
Barron	Erdreich	Lutz	Slate
Benton	Falkenburg	McDonald	Smith (K)
Boles	Fite	McMillan	Stewart
Boutwell	Flippo	McNair	Stokes
Bowers	Gafford	Manley	Stubbs
Burgess	Goodwin	Merrill	Therrell
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Waggoner
Cauthen	Harris	Nettles	Waldrop
Connell	Headley	O'Daniel	Wallace
Coshatt	Hearn	Owens	Weeks
Cottingham	Hill	Parker	Williams
Crowe	Hughes	Porter	Wood
Culver	Jackson	Pruitt	Wynot
Doss			

—73

And the bill:

H. 693. To amend Section 13 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended (relating to the excise taxes on diesel oil and other motor fuel as defined in said act as amended), so as to provide for distribution of the net proceeds from said taxes for payment, to the extent necessary therefor at their respective maturities, of the principal of and interest on bonds and notes of Alabama Turnpike Authority.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boles	Brassell
Adwell	Barron	Boutwell	Burgess
Agee	Benton	Bowers	Carnes

Carter	Goodwin	McDonald	Roberts
Coshatt	Grainger	McMillan	St. John
Cottingham	Grey (D)	McNair	Slate
Crowe	Hale	Manley	Smith (K)
Culver	Harris	Merrill	Smith (P)
Doss	Headley	Mims	Stewart
Downing	Hill	Naramore	Stokes
Drake	Hughes	Nettles	Therrell
Edwards	Jackson	O'Daniel	Turner
Ellis	Jones (F)	Owens	Waggoner
Erdreich	King	Parker	Waldrop
Falkenburg	Kinsey	Porter	Wallace
Fite	Lang	Pruitt	Weeks
Flippo	Lutz	Reid (R)	Williams
Gafford	McCorquodale	Reynolds	Wynot

—72

And the bill:

H. 126. (With Amendment): To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Was taken up.

MOTION TO ADJOURN LOST

The motion offered by Mr. Stokes that the House adjourn until 2:00 o'clock p.m., Tuesday, August 14, 1973, was lost.

The question was then on the adoption of the amendment reported by the Standing Committee on Insurance, said Committee amendment being as follows:

Amend House Bill 126 by putting a period after the word "department" where it appears in subsection (1) of Section 2 five lines from the end of said subsection, and by starting a new sentence with the word "fire" where it appears in said line of said subsection.

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Cottingham	Edwards
Agee	Brassell	Crowe	Ellis
Barkett	Burgess	Culver	Fite
Barron	Carnes	Doss	Flippo
Benton	Carter	Downing	Gafford
Boles	Coshatt	Drake	Goodwin

REGULAR SESSION
28th Day

3151

Grainger	Lutz	Owens	Stubbs
Grey (D)	McCluskey	Perloff	Therrell
Hale	McCorquodale	Porter	Turner
Harris	McDonald	Pruitt	Turnham
Headley	McMillan	Reed (T)	Waggoner
Hill	McNair	Reynolds	Waldrop
Hughes	Manley	Roberts	Wallace
Jackson	Merrill	St. John	Warren
Jones (F)	Mims	Slate	Weeks
King	Naramore	Smith (K)	Williams
Kinsey	Nettles	Smith (P)	Wise
Lang	O'Daniel	Stewart	Wynot

—72

Mr. Stokes offered the following amendment to the bill, H. 126 as amended:

Amend House Bill 126 by striking Section 20 in its entirety and substituting in lieu thereof as follows:

"Section 20. This act shall become effective upon the adoption of an amendment to the Constitution of Alabama providing for a pension fund for fire fighters."

AMENDMENT TABLED

On motion of Mr. Jones (F), the amendment offered by Mr. Stokes to the bill, H. 126 as amended, was tabled.

Yeas 39; Nays 26.

Yeas:

Messrs.:	Fite	Lutz	Stewart
Benton	Flippo	McCorquodale	Stubbs
Boles	Goodwin	McDonald	Therrell
Brassell	Grainger	Merrill	Turner
Burgess	Headley	O'Daniel	Waggoner
Carnes	Hill	Porter	Waldrop
Coshatt	Jackson	Reed (T)	Wallace
Cottingham	King	Reynolds	Warren
Culver	Kinsey	Robertson	Williams
Drake	Lang	Smith (K)	Wise

—39

Nays:

Messrs.:	Doss	Harris	Nettles
Adwell	Downing	Hughes	Parker
Barron	Erdreich	McMillan	St. John
Callahan	Falkenburg	McNair	Slate
Casey	Gafford	Manley	Stokes
Cauthen	Grey (D)	Mathews	Wood
Dill	Hale	Naramore	

—26

Mr. Mathews offered the following amendment to the bill, H. 126 as amended:

Amend House Bill 126 by adding to Section 9 at the end of the first paragraph the following:

"Provided, however, that any such person, firm, corporation, association or aggregation paying the premium tax herein described shall be allowed to increase its policies' premiums in the same amount without any approval of the Superintendent of Insurance, notwithstanding the provisions of present laws to the contrary."

AMENDMENT TABLED

On motion of Mr. Jones (F), the amendment offered by Mr. Mathews to the bill, H. 126 as amended, was tabled.

Yeas 58; Nays 9.

Yeas:

Messrs.:	Ellis	McCorquodale	Slate
Barkett	Erdreich	McDonald	Smith (K)
Benton	Fite	McMillan	Stewart
Boles	Flippo	McNair	Stubbs
Boutwell	Gafford	Manley	Therrell
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Carnes	Hale	Naramore	Waldrop
Casey	Hill	O'Daniel	Wallace
Cauthen	Hughes	Owens	Warren
Coshatt	Jackson	Perloff	Williams
Cottingham	King	Porter	Wise
Culver	Kinsey	Pruitt	Wood
Downing	Lang	Reynolds	Wynot
Drake	Lutz	Robertson	

—58

Nays:

Messrs.:	Falkenburg	Nettles	Reid (R)
Barron	Grey (D)	Parker	Stokes
Crowe	Mathews		

—9

Mr. Dill offered the following amendment to the bill, H. 126 as amended:

Amend H. B. 126 as follows:

The provisions of this Act shall not apply to counties over 500,000 according to the last decennial census.

And the amendment was lost.

Yeas 26; Nays 31.

Yeas:

Messrs.:	Coshatt	Gafford	St. John
Adwell	Cottingham	Hughes	Stokes
Barron	Doss	McDonald	Turner
Bowers	Downing	McNair	Waggoner
Callahan	Ellis	Mathews	Waldrop
Carnes	Erdreich	Nettles	Weeks
Casey	Falkenburg	Parker	

—26

Nays:

Messrs.:	Boles	Burgess	Drake
Barkett	Boutwell	Cauthen	Fite
Benton	Brassell	Culver	Flippo

REGULAR SESSION

3153

28th Day

Goodwin	King	Mims	Therrell
Grainger	Kinsey	Porter	Wallace
Hale	Lutz	Reynolds	Warren
Hill	McCorquodale	Slate	Williams
Jackson	Merrill	Stewart	Wise

—31

MOTION TO POSTPONE LOST

The motion of Mr. Stokes to temporarily postpone the bill, H. 126 as amended, was lost.

Yeas 27; Nays 47.

Yeas:

Messrs.:	Dill	Hughes	Parker
Adwell	Doss	McMillan	Pruitt
Barron	Downing	McNair	St. John
Bowers	Erdreich	Manley	Stokes
Casey	Falkenburg	Mathews	Turner
Cauthen	Gafford	May	Turnham
Collins	Hale	Nettles	Wood

—27

Nays:

Messrs.:	Edwards	Lang	Slate
Agee	Ellis	Lutz	Smith (K)
Barkett	Fite	McBride	Smith (P)
Benton	Flippo	McCorquodale	Stewart
Boles	Goodwin	McDonald	Stubbs
Boutwell	Grainger	Merrill	Therrell
Burgess	Headley	Mims	Wagoner
Carnes	Hill	Naramore	Waldrop
Cottingham	Jackson	Perloff	Wallace
Crowe	Jones (E)	Porter	Warren
Culver	King	Reynolds	Williams
Drake	Kinsey	Robertson	Wise

—47

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 823. To purify, preserve and maintain the Cahaba River; to prohibit the construction of additional dams and impoundments; to provide for the removal of those already constructed that are not owned by public utilities or governmental bodies; to prescribe remedies and penalties for violations of this Act and to provide otherwise for its enforcement.

TOM DRAKE,
Chairman.

H. 126 RESUMED

Mr. Callahan offered the following amendment to the bill, H. 126 as amended:

Amend H. B. 126 by adding thereto the following:

This Bill shall not apply to counties having a population of not less than 300,000 and not more than 500,000 according to the last Federal Decennial census.

AMENDMENT TABLED

On motion of Mr. Jones (F), the amendment offered by Mr. Callahan to the bill, H. 126 as amended, was tabled.

Yeas 36; Nays 33.

Yeas:

Messrs.:	Grainger	McDonald	Slate
Agee	Hale	Merrill	Smith (K)
Barkett	Hill	Mims	Therrell
Benton	Jackson	Nettles	Turnham
Boles	King	Perloff	Wallace
Culver	Kinsey	Porter	Warren
Drake	Lang	Reid (R)	Williams
Fite	Lutz	Reynolds	Wise
Flippo	McCorquodale	Robertson	Wood
Goodwin			

—36

Nays:

Messrs.:	Connell	Gafford	Parker
Adwell	Cottingham	Grey (D)	Pruitt
Barron	Crowe	Hughes	St. John
Bowers	Dill	McMillan	Stokes
Brassell	Doss	McNair	Turner
Callahan	Downing	Manley	Waggoner
Carnes	Ellis	Mathews	Waldrop
Casey	Erdreich	May	Weeks
Cauthen	Falkenburg		

—33

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Nettles moved to reconsider the vote by which the amendment offered by Mr. Callahan to the bill, H. 126 as amended, was tabled, and the motion was adopted.

Yeas 52; Nays 25.

Yeas:

Messrs.:	Cottingham	Hughes	Porter
Adwell	Crowe	Lang	Reed (T)
Barron	Dill	McBride	Roberts
Benton	Doss	McCluskey	St. John
Boutwell	Downing	McDonald	Slate
Bowers	Drake	McMillan	Snell
Brassell	Ellis	McNair	Stokes
Callahan	Erdreich	Manley	Turner
Carnes	Falkenburg	Mathews	Turnham
Carter	Gafford	May	Waggoner
Casey	Grey (D)	Meeks	Waldrop
Cauthen	Harris	Nettles	Weeks
Chesnut	Headley	Parker	Wynot
Connell			

—52

REGULAR SESSION
28th Day

3155

Nays:

Messrs.:	Goodwin	Merrill	Therrell
Agee	Grainger	Naramore	Wallace
Boles	Hill	Perloff	Warren
Burgess	Jones (F)	Reynolds	Williams
Culver	King	Smith (K)	Wise
Fite	Lutz	Stewart	Wood
Flippo	McCorquodale		

—25

The question was then on the amendment offered by Mr. Callahan to the bill, H. 126 as amended:

MOTION TO TABLE LOST

The motion of Mr. Jones (F) to table the amendment offered by Mr. Callahan to the bill, H. 126 as amended, was lost.

Yeas 26; Nays 42.

Yeas:

Messrs.:	Fite	Merrill	Stewart
Agee	Flippo	Owens	Therrell
Barkett	Goodwin	Perloff	Wallace
Boles	Hill	Reid (R)	Warren
Burgess	Jones (F)	Reynolds	Williams
Cottingham	Lang	Robertson	Wood
Culver	McCorquodale	Smith (K)	

—26

Nays:

Messrs.:	Connell	Kinsey	St. John
Adwell	Crowe	McCluskey	Slate
Barron	Dill	McDonald	Snell
Benton	Doss	McMillan	Stokes
Bowers	Downing	McNair	Turner
Callahan	Erdreich	Manley	Turnham
Carnes	Falkenburg	Mathews	Waggoner
Carter	Gafford	May	Waldrop
Casey	Grey (D)	Nettles	Weeks
Cauthen	Hughes	Parker	Wynot
Chesnut	King	Reed (T)	

—42

Mr. Stokes offered the following substitute amendment to the bill, H. 126 as amended:

Amend H. B. 126 by adding thereto the following:

This Bill shall not apply to counties having a population of not less than 300,000, according to the last Federal Decennial Census.

Yeas 39; Nays 32.

Yeas:

Messrs.:	Callahan	Cottingham	Falkenburg
Adwell	Carnes	Dill	Gafford
Barron	Carter	Doss	Grey (D)
Benton	Casey	Downing	Harris
Boutwell	Cauthen	Ellis	Hughes
Bowers	Chesnut	Erdreich	Kinsey

28th Day

McDonald	May	Snell	Waggoner
McNair	Nettles	Stokes	Waldrop
Manley	Parker	Turner	Weeks
Mathews	St. John	Turnham	Wynot

—39

Nays:

Messrs.:	Goodwin	McCorquodale	Smith (K)
Agee	Grainger	Merrill	Stewart
Barkett	Hill	Owens	Stubbs
Boles	Jackson	Perloff	Therrell
Burgess	Jones (F)	Reid (R)	Warren
Culver	King	Reynolds	Williams
Drake	Lang	Robertson	Wise
Fite	Lutz	Slate	Wood
Flippo			

—32

And the bill, H. 126 as thus amended, was read a third time at length and passed.

Yeas 72; Nays 9.

Yeas:

Mr. Speaker	Ellis	McCorquodale	Slate
Adwell	Erdreich	McDonald	Smith (K)
Agee	Falkenburg	McMillan	Smith (P)
Barkett	Fite	Manley	Snell
Barron	Flippo	Merrill	Stewart
Benton	Goodwin	Mims	Stubbs
Boles	Grainger	Naramore	Therrell
Boutwell	Harris	O'Daniel	Turner
Brassell	Headley	Owens	Turnham
Burgess	Hill	Perloff	Waggoner
Callahan	Hughes	Porter	Waldrop
Carnes	Jackson	Pruitt	Wallace
Carter	Jones (F)	Reed (T)	Warren
Chesnut	King	Reid (R)	Weeks
Cottingham	Kinsey	Reynolds	Williams
Culver	Lang	Roberts	Wise
Downing	Lutz	Robertson	Wood
Drake	McCluskey	St. John	Wynot

—72

Nays:

Messrs.:	Cauthen	Mathews	Parker
Bowers	Crowe	Nettles	Stokes
Casey	Grey (D)		

—9

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Kinsey, the rules were suspended in order to bring up out of order the bill, S. 342.

Yeas 64; Nays 7.

Yeas:

Messrs.:	Barron	Brassell	Carter
Adwell	Benton	Burgess	Casey
Agee	Boles	Callahan	Cauthen
Barkett	Boutwell	Carnes	Connell

REGULAR SESSION
28th Day

3157

Coshatt	Grey (D)	May	Snell
Cottingham	Harris	Mims	Stewart
Crowe	Hill	Naramore	Stokes
Doss	Hughes	Nettles	Stubbs
Downing	King	Porter	Turner
Drake	Kinsey	Pruitt	Turnham
Edwards	Lang	Reid (R)	Waggoner
Ellis	Lutz	Roberts	Wallace
Falkenburg	McBride	Robertson	Warren
Flippo	McCluskey	St. John	Wise
Goodwin	McCorquodale	Smith (K)	Wood
Grainger	Manley	Smith (P)	Wynot
Gray (F)			—64
<i>Nays:</i>			
Mr. Speaker	Dill	Headley	Reynolds
Bowers	Gafford	Jackson	—7

And the bill:

S. 342. (With Amendment): To authorize the Division of Marine Resources of the Department of Conservation and Natural Resources to sell or barter for the purpose of establishing fishing reefs in offshore waters of Alabama certain liberty ships now in the custody of said Division for the benefit of the states of Alabama, Mississippi and Florida.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Conservation, said Committee amendment being as follows:

Insert the following at the end of the title, viz:

, creating a commission to oversee and direct the action of the Department of Conservation and Natural Resources under the provisions of this Act.

Insert a new Section 3 as follows and renumber the present Sections 3 and 4 as Sections 4 and 5 respectively, viz:

Section 3. There is hereby created a commission to be known as the Fishing Reef Ship Commission that shall have the power to oversee, direct, and govern all actions taken by the Commissioner or the Department of Conservation and Natural Resources or its Division of Marine Resources under the provisions of this Act. There shall be six members of the Fishing Reef Ship Commission who shall serve at the pleasure of the state official appointing them, viz: two members of the House of Representatives of the Alabama Legislature who shall be appointed by the Speaker of the House; two members of the Senate of the Alabama Legislature who shall be appointed by the Lieutenant Governor; one member appointed by the Governor and one member appointed by the Commissioner of Conservation and Natural Resources, who may appoint himself or any member of his staff if he so desires. The commission shall choose one of their members as chairman and shall operate under "Roberts' Rules of Order." The members shall receive no compensation for their services, however they shall receive their actual expenses while traveling or meeting on the business of the commission which shall be paid by the Department of Conservation and Natural Resources out of any funds appropriated to them by the Legislature.

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	Lang	Robertson
Adwell	Downing	Lutz	St. John
Agee	Drake	McBride	Smith (K)
Barkett	Edwards	McCluskey	Smith (P)
Barron	Ellis	McCorquodale	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Fite	Manley	Stokes
Boutwell	Flippo	May	Stubbs
Bowers	Gafford	Merrill	Therrell
Brassell	Goodwin	Mims	Turner
Burgess	Grainger	Naramore	Turnham
Callahan	Gray (F)	Nettles	Waggoner
Carnes	Grey (D)	O'Daniel	Waldrop
Carter	Harris	Parker	Wallace
Casey	Headley	Porter	Warren
Connell	Hill	Pruitt	Williams
Coshatt	Hughes	Reed (T)	Wise
Cottingham	Jackson	Reid (R)	Wood
Crowe	King	Reynolds	Wynot
Dill	Kinsey	Roberts	

—79

And the bill, S. 342 as thus amended, was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Doss	King	St. John
Adwell	Downing	Kinsey	Smith (K)
Agee	Drake	Lang	Smith (P)
Barkett	Edwards	Lutz	Snell
Barron	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	May	Therrell
Bowers	Flippo	Merrill	Turner
Brassell	Gafford	Mims	Turnham
Burgess	Goodwin	Naramore	Waggoner
Carnes	Grainger	O'Daniel	Waldrop
Carter	Grey (D)	Parker	Wallace
Casey	Harris	Porter	Warren
Connell	Headley	Pruitt	Weeks
Cottingham	Hill	Reed (T)	Wise
Crowe	Hughes	Reynolds	Wood
Dill	Jackson	Robertson	Wynot

—72

SPECIAL ORDER RESUMED

And the bill:

H. 1316. To amend Title 28, Section 323, Code of Alabama 1940, as amended, so as to provide further for investment by the State Insurance Fund.

REGULAR SESSION
28th Day

3159

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Robertson
Agee	Edwards	Kinsey	St. John
Barkett	Ellis	Lang	Smith (K)
Barron	Erdreich	Lutz	Smith (P)
Benton	Falkenburg	McCluskey	Snell
Boles	Fite	McDonald	Stewart
Boutwell	Flippo	McMillan	Stubbs
Bowers	Gafford	Manley	Turner
Brassell	Goodwin	May	Turnham
Burgess	Grainger	Merrill	Waggoner
Callahan	Gray (F)	Mims	Waldrop
Carnes	Grey (D)	Naramore	Wallace
Carter	Hale	Nettles	Warren
Casey	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hill	Pruitt	Wise
Cottingham	Hughes	Reynolds	Wood
Crowe	Jackson	Roberts	Wynot
Doss	Jones (F)		

—74

And the bill:

H. 342. To make an appropriation to the Governor's Mansion Advisory Board for the renovation, restoration, refurbishing and refurnishing of the Governor's Mansion.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Robertson
Agee	Drake	Kinsey	St. John
Barkett	Edwards	Lang	Smith (K)
Barron	Ellis	Lutz	Smith (P)
Benton	Erdreich	McCluskey	Stewart
Boles	Falkenburg	McCorquodale	Stokes
Boutwell	Fite	McDonald	Stubbs
Bowers	Flippo	McMillan	Therrell
Brassell	Goodwin	Manley	Turner
Burgess	Grainger	Mathews	Turnham
Callahan	Gray (F)	Merrill	Waggoner
Carnes	Grey (D)	Mims	Waldrop
Carter	Hale	Naramore	Wallace
Casey	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hill	Parker	Williams
Cottingham	Hughes	Pruitt	Wise
Crowe	Jackson	Reynolds	Wood
Dill	Jones (F)	Roberts	Wynot
Doss			

—77

And the bill:

H. 341. To confer additional authority upon the Governor's Mansion Advisory Board and to make an appropriation to the Governor's Mansion Advisory Board for the purchase of property in the block upon which the Governor's Mansion is located.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 1.

Yeas:

Mr. Speaker	Drake	Lang	Roberts
Agee	Edwards	Lutz	Robertson
Barkett	Ellis	McCluskey	St. John
Barron	Erdreich	McCorquodale	Smith (P)
Benton	Fite	McDonald	Stewart
Boles	Flippo	McMillan	Stokes
Boutwell	Goodwin	McNair	Stubbs
Brassell	Grainger	Manley	Turner
Burgess	Grey (D)	Mathews	Turnham
Callahan	Hale	Merrill	Waggoner
Carnes	Headley	Mims	Waldrop
Carter	Hill	Naramore	Wallace
Casey	Hughes	O'Daniel	Warren
Connell	Jackson	Owens	Weeks
Cottingham	Jones (F)	Parker	Williams
Crowe	King	Pruitt	Wise
Downing	Kinsey	Reed (T)	Wynot

—68

Nay: Mr. Cauthen.

—1

And the bill:

H. 734. (Without Recommendation): To amend further Code of Alabama 1940, Title 45, Section 144 in relation to the allowance for feeding prisoners.

Was taken up.

Mr. Falkenburg offered the following substitute to the bill:

To amend Title 45, Section 144, Alabama Code, 1940, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

Be It Enacted by the Legislature of Alabama:

Section 1. Title 45, Section 144, Alabama Code 1940, as amended, is further amended to read as follows:

"Section 144. Allowance for feeding prisoners. Food for prisoners in the county jails shall be paid for by the state as follows: There shall be allowed such amount as is actually necessary for food for each prisoner daily, but the said amount so allowed cannot exceed one dollar, twenty-five cents (\$1.25) per capita."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REGULAR SESSION
28th Day

3161

And the substitute was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Barkett	Edwards	McCluskey	St. John
Barron	Ellis	McDonald	Smith (K)
Boles	Erdreich	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Turner
Burgess	Goodwin	Merrill	Turnham
Carnes	Grey (D)	Mims	Waggoner
Carter	Hale	Naramore	Waldrop
Casey	Harris	Nettles	Wallace
Cauthen	Headley	O'Daniel	Warren
Connell	Hill	Owens	Weeks
Coshatt	Hughes	Parker	Williams
Cottingham	Jackson	Porter	Wise
Crowe	Jones (F)	Pruitt	Wood
Dill	King	Reynolds	Wynot
Doss			

—73

And the bill:

H. 734. To amend Title 45, Section 144, Alabama Code, 1940, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Robertson
Adwell	Drake	Kinsey	St. John
Agee	Edwards	Lang	Smith (K)
Barkett	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Fite	McMillan	Stokes
Bowers	Flippo	McNair	Stubbs
Brassell	Gafford	Manley	Turner
Burgess	Goodwin	Mathews	Turnham
Carnes	Gray (F)	Merrill	Waggoner
Carter	Grey (D)	Mims	Wallace
Casey	Hale	Naramore	Warren
Cauthen	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hill	Pruitt	Wise
Cottingham	Hughes	Reed (T)	Wood
Dill	Jackson	Reynolds	Wynot
Doss	Jones (F)	Roberts	

—71

UNANIMOUS CONSENT GRANTED

At the request of Mr. Gray (F), unanimous consent was granted for his name to be added as co-sponsor to the bills, H. 734, H. 324, H. 326 and H. 325.

Objection was registered against Mr. Gray (F) being added as co-sponsor to the bill, H. 112.

RESOLUTION

The following resolution was introduced:

By Mr. Lyons:

H. J. R. 187. "WHEREAS, through more than 150 years the Legislature of Alabama has sought to recognize and honor distinguished sons of this great State who have in the character and magnitude of their contributions indelibly impressed their mark forever upon the peoples who live here, not only in their own time but also in the years to come.

Frank Park Samford is such a man, and this Legislature seeks to pay him tribute. He carries the name of one of Alabama's most illustrious families whose works have been known in service to the State and its people in many ways. His grandfather, William J. Samford, sat in the Constitutional Convention of Alabama in 1875 and died while holding the office of Governor of this State to which he was elected in 1900. His father, William Hodges Samford, sat on the Alabama Constitutional Convention in 1901, and later served for almost thirty years as a distinguished jurist on the Alabama Court of Appeals. Worthy and high the honor and service of those who came before him, they cannot exceed those which he himself deserves in the outstanding contributions to his fellow citizens and to this State.

A native of Troy and a graduate of Auburn University, Frank Park Samford began his distinguished career in the life insurance business in 1914 when he became the first Deputy Insurance Commissioner of Alabama. Upon leaving the office of the Regulator he joined a small struggling fraternal benefit society by the name of Heralds of Liberty and this year retired as Chairman of the Board of Liberty National Life Insurance Company, the successor to Heralds of Liberty, and one of the twenty largest stock life insurance companies in the United States. It is the largest life insurance company in Alabama and Alabama's largest financial institution. With its Home Office in Birmingham the company is licensed to do business in thirty-four states and the District of Columbia. Nearly 1,000 persons are employed in its Home Office and an additional 1,500 persons work out of its 70 district offices located throughout the State of Alabama. Though life insurance has been his business, his career has been to serve the people of this State in many ways. He has served as United Appeal Chairman of Jefferson County Community Chest, as a member of the Birmingham Housing Authority, President of Jefferson County TB Sanitarium, State Vice Chairman of the War Finance Committee in World War II, Chairman of Christmas Seal Campaign, chairman of fund raising campaign to secure the U.S.S. Alabama Battleship for Mobile in 1964. He has served as Director of the Birmingham YMCA and YWCA; on the Board of Directors of Birmingham Baptist Hospitals; for many years as a Trustee of Auburn University and Chairman of the Board of Trustees of Samford University, an institute of higher learning in Birmingham with an enrollment of more than 3,000 men and women from all parts of the country, who attest his interest. Hospitals, religious organizations, and other charities have known his work and received his gifts.

Birmingham recently celebrated its Centennial and the citizenry selected him as the "Greatest Businessman in Birmingham's First Century". "Man of the South" and "Man of the Year" he has been designated by various organi-

zations. The Alabama Broadcasters Association named him "Citizen of the Year". He has been named to the Academy of Honor of the State of Alabama, honored by the Alabama Sheriff's Boys Ranch, awarded the Gold Medal of Merit by the Veterans of Foreign Wars, given the Valor Award for Outstanding Service to Boyhood by the Birmingham, Alabama Council of the Boy Scouts of America. Howard College of Birmingham, Auburn University and the University of Alabama have bestowed upon him honorary Doctor of Laws degrees.

Atop the Home Office building of his Company stands a 31 feet high, 20,000 pound replica of Bartholdi's Statue of Liberty. Her lighted torch over the skyline of the city serves as a visible and vigilant reminder of our heritage of freedom, a project worthy of special commendation by Freedom Foundation at Valley Forge for its contribution to the remembrance of the ideals of our founding fathers. Through the concern of Frank Park Samford over 200 public schools and libraries throughout this State have received the great documents of freedom published by the American Bar Association in 1959 as the "Sources of Our Liberties". The Magna Carta and Bill of Rights are to Frank Park Samford more than ancient documents from other days; they are eternal verities for all people for all time.

He has been friend and advisor to those who serve in high office and friend and advisor to those who serve in less lofty places. In all he has served this State and its peoples in a manner befitting this recognition.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we hereby honor Frank Park Samford on his 80th birthday on November 1, 1973 and hereby declare that November 1 of each year be designated "Frank Park Samford Day" to honor the work of this worthy son, to recognize his contributions and his achievements, and to serve as an inspiration for those who now serve and who yet may serve this State in similar ways in high places and noble achievement."

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 187, on the Clerk's desk for one legislative day.

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Ellis and Headley, unanimous consent was granted for their names to be added as co-sponsor to the bill, H. 734.

SPECIAL ORDER RESUMED

And the bill:

H. 324. To make appropriations for the support and maintenance of the Walker County Junior College located at Jasper, in Walker County.

Was taken up.

Mr. Stokes offered the following amendment to the bill:

In H. B. 324 delete the phrase "Two Hundred Thousand Dollars (\$200,000)" and insert in lieu thereof the phrase Seventy-five Thousand Dollars (\$75,000).

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment offered by Mr. Stokes to the bill, H. 324, was tabled.

Yeas 59; Nays 5.

Yeas:

Messrs.:	Drake	McCluskey	St. John
Agee	Edwards	McCorquodale	Slate
Barkett	Ellis	McDonald	Smith (K)
Boutwell	Faikenburg	McMillan	Smith (P)
Brassell	Fite	McNair	Snell
Burgess	Goodwin	Manley	Stewart
Carter	Grainger	May	Stubbs
Casey	Gray (F)	Merrill	Turner
Coshatt	Grey (D)	Naramore	Turnham
Cottingham	Headley	Nettles	Waggoner
Cross	Hill	Owens	Waldrop
Crowe	Hughes	Pruitt	Wallace
Culver	Jackson	Reid (R)	Weeks
Doss	King	Reynolds	Williams
Downing	Lang	Robertson	Wynot

—59

Nays:

Messrs.:	Carnes	Hale	Stokes
Barron	Cauthen		

—5

And the bill, H. 324, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 8.

Yeas:

Mr. Speaker	Downing	Lang	Roberts
Agee	Drake	McCluskey	Robertson
Barkett	Edwards	McCorquodale	St. John
Benton	Ellis	McDonald	Smith (K)
Boles	Fite	McMillan	Smith (P)
Boutwell	Flippo	McNair	Stewart
Bowers	Goodwin	Manley	Stubbs
Brassell	Gray (F)	Mathews	Therrell
Burgess	Grey (D)	May	Turner
Carter	Hale	Merrill	Turnham
Casey	Harris	Naramore	Waggoner
Connell	Headley	O'Daniel	Waldrop
Coshatt	Hill	Owens	Wallace
Cottingham	Hughes	Parker	Weeks
Cross	Jackson	Pruitt	Williams
Crowe	Jones (F)	Reed (T)	Wise
Culver	King	Reid (R)	Wood
Doss	Kinsey	Reynolds	Wynot

—72

Nays:

Messrs.:	Gafford	Nettles	Stokes
Barron	Lutz	Slate	Warren
Carnes			

—8

REGULAR SESSION
28th Day

3165

And the bill:

H. 326. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 11.

Yeas:

Mr. Speaker	Culver	Lang	Roberts
Agee	Downing	McCluskey	Robertson
Bank	Drake	McCorquodale	St. John
Barkett	Edwards	McDonald	Slate
Benton	Ellis	McMillan	Smith (K)
Boles	Erdreich	McNair	Smith (P)
Boutwell	Falkenburg	Manley	Snell
Bowers	Fite	Mathews	Stewart
Brassell	Flippo	May	Stubbs
Burgess	Goodwin	Merrill	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	O'Daniel	Waggoner
Collins	Harris	Owens	Wallace
Connell	Headley	Parker	Weeks
Coshatt	Hill	Pruitt	Williams
Cottingham	Hughes	Reed (T)	Wise
Crawford	Jackson	Reid (R)	Wood
Cross	Jones (F)	Reynolds	Wynot
Crowe	King		

—74

Nays:

Messrs.:	Cauthen	Hale	Stokes
Barron	Gafford	Lutz	Waldrop
Carnes	Grainger	Nettles	Warren

—11

And the bill:

H. 325. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 10.

Yeas:

Mr. Speaker	Casey	Edwards	Hughes
Agee	Collins	Ellis	Jackson
Bank	Connell	Falkenburg	Jones (F)
Barkett	Coshatt	Fite	King
Benton	Cottingham	Flippo	Lang
Boles	Crawford	Goodwin	McCluskey
Boutwell	Cross	Gray (F)	McCorquodale
Bowers	Crowe	Grey (D)	McDonald
Brassell	Culver	Harris	McMillan
Burgess	Downing	Headley	McNair
Carter	Drake	Hill	Manley

28th Day

Mathews	Reed (T)	Smith (P)	Waldrop
May	Reid (R)	Snell	Wallace
Merrill	Reynolds	Stewart	Weeks
Naramore	Roberts	Stubbs	Williams
O'Daniel	Robertson	Turner	Wise
Owens	St. John	Turnham	Wood
Parker	Slate	Waggoner	Wynot
Pruitt	Smith (K)		

—74

Nays:

Messrs.:	Gafford	Kinsey	Stokes
Barron	Grainger	Lutz	Warren
Carnes	Hale	Nettles	

—10

And the bill:

H. 112. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 4.

Yeas:

Mr. Speaker	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Barkett	Easters	Lutz	St. John
Benton	Edwards	McCluskey	Smith (K)
Boles	Ellis	McCorquodale	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Bowers	Falkenburg	McMillan	Stewart
Brassell	Fite	McNair	Stubbs
Carnes	Flippo	Manley	Turner
Carter	Goodwin	Mathews	Turnham
Casey	Grainger	May	Waggoner
Cauthen	Gray (F)	Merrill	Waldrop
Collins	Grey (D)	Mims	Wallace
Connell	Hale	Naramore	Warren
Coshatt	Harris	Nettles	Weeks
Cottingham	Headley	O'Daniel	Williams
Crawford	Hill	Owens	Wise
Cross	Hughes	Pruitt	Wood
Crowe	Jackson	Reed (T)	Wynot
Dill	Jones (F)	Reid (R)	

—83

Nays:

Messrs.:	Culver	Gafford	Stokes
Barron			

—4

UNANIMOUS CONSENT GRANTED

At the request of Mr. McNair, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 112.

And the bill:

H. 1318. To authorize Alabama Public School and College Authority to sell and issue \$60 million aggregate principal amount of additional bonds

28th Day

for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary fund; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 5.

Yeas:

Messrs.:	Doss	Jones (F)	Reynolds
Adwell	Downing	King	Roberts
Agee	Drake	Kinsey	Robertson
Barkett	Easters	Lang	St. John
Barron	Edwards	Lutz	Slate
Benton	Ellis	McCorquodale	Smith (K)
Boles	Erdreich	McDonald	Smith (P)
Boutwell	Falkenburg	McMillan	Snell
Bowers	Fite	McNair	Stokes
Brassell	Flippo	Manley	Stubbs
Burgess	Gafford	Mathews	Turner
Callahan	Goodwin	May	Turnham
Carter	Grainger	Merrill	Waggoner
Casey	Gray (F)	Nettles	Waldrop
Cauthen	Grey (D)	O'Daniel	Wallace
Collins	Hale	Owens	Weeks
Coshatt	Harris	Parker	Williams
Cottingham	Headley	Pruitt	Wise
Cross	Hill	Reed (T)	Wood
Crowe	Hughes	Reid (R)	Wynot
Culver	Jackson		

—81

Nays:

Messrs.:	Connell	McCluskey	Warren
Carnes	Dill		

—5

And the bill:

H. 1345. To authorize Alabama Public School and College Authority to sell and issue one hundred twenty million dollars (\$120,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 4.

Yeas:

Messrs.:	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Agee	Drake	Lutz	St. John
Barkett	Easters	McCluskey	Slate
Barron	Edwards	McCorquodale	Smith (K)
Benton	Ellis	McDonald	Smith (P)
Boles	Erdreich	McMillan	Snell
Boutwell	Falkenburg	McNair	Stewart
Bowers	Fite	Manley	Stokes
Brassell	Flippo	Mathews	Stubbs
Burgess	Gafford	May	Turner
Callahan	Goodwin	Merrill	Turnham
Carnes	Grainger	Mims	Waggoner
Carter	Gray (F)	Naramore	Waldrop
Casey	Grey (D)	O'Daniel	Wallace
Cauthen	Harris	Owens	Warren
Collins	Headley	Parker	Weeks
Coshatt	Hill	Pruitt	Williams
Cottingham	Hughes	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (F)	Reynolds	Wynot
Culver	King		

REGULAR SESSION
28th Day

3169

Nays:

Messrs.:	Dill	Hale	Nettles	—4
Connell				

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Flippo, the rules were suspended in order to allow the Standing Committee on Constitution and Elections to report out of order.

Yeas 66; Nays 4.

Yeas:

Messrs.:	Crowe	Hill	Reynolds	
Adwell	Dill	Hughes	Roberts	
Barkett	Doss	Jones (F)	Robertson	
Barron	Downing	King	St. John	
Benton	Easters	Lang	Slate	
Boles	Edwards	Lutz	Snell	
Boutwell	Ellis	McCluskey	Stewart	
Brassell	Erdreich	McDonald	Stokes	
Burgess	Falkenburg	McMillan	Turner	
Callahan	Flippo	McNair	Turnham	
Carnes	Gafford	Manley	Waggoner	
Carter	Goodwin	May	Waldrop	
Cauthen	Grainger	Naramore	Wallace	
Connell	Gray (F)	Nettles	Weeks	
Coshatt	Gray (D)	O'Daniel	Williams	
Cottingham	Hale	Parker	Wise	
Cross	Harris	Reed (T)		—66

Nays:

Messrs.:	Fite	Headley	Stubbs	—4
Casey				

BILL ON SECOND READING

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 694. (With Substitute): To propose an amendment to the Constitution of Alabama with respect to Article VI thereof which creates the Judicial Department of the State and prescribes the powers, duties and functions of all courts and the powers, duties, functions and qualifications of all judicial officers.

The above bill was read a second time at length as required by the Constitution.

SPECIAL ORDER RESUMED

And the bill:

H. 1612. To authorize Alabama Public School and College Authority to sell and issue \$27,000,000.00 aggregate principal amount of additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds

and the public sales thereof; to make an appropriation and pledge, for the pro rata payment of the principal of and the interest on the said bonds from proceeds of the residue of certain excise taxes to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, the moneys so appropriated and pledged, and will not create a debt or obligation of the limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivision, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instruments; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not affect the validity of any other portion of this Act.

Was taken up.

Mr. Turner offered the following amendment #1 to the bill:

Synopsis—This bill authorizes Alabama Public School and College Authority to sell and issue \$27 million additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges in the state, and provides for the details pertaining to said bonds, the pledge and appropriation of certain excise taxes as security therefor and related matters.

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Dill	King	Roberts
Adwell	Doss	Kinsey	St. John
Agee	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Snell
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Gafford	Manley	Turner
Burgess	Goodwin	Mathews	Turnham
Callahan	Grainger	May	Waggoner
Carnes	Gray (F)	Merrill	Waldrop
Carter	Grey (D)	Mims	Wallace
Casey	Hale	Naramore	Warren
Cauthen	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hughes	Porter	Wise
Cottingham	Jackson	Reid (R)	Wood
Cross	Jones (F)	Reynolds	Wynot
Crowe			

REGULAR SESSION

3171

28th Day

Mr. Turner offered the following amendment #2 to the bill, H. 1612 as amended:

To amend H. B. 1612, Section 2, as follows:

"By striking the figure \$25,453,316 wherever it appears in such section and substitute in lieu thereof the figure \$27,000,000."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Dill	Jackson	Reynolds
Adwell	Doss	Jones (F)	Roberts
Agee	Downing	King	St. John
Barkett	Drake	Kinsey	Slate
Barron	Edwards	Lang	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Fite	McMillan	Stokes
Brassell	Flippo	McNair	Stubbs
Burgess	Gafford	Manley	Turner
Carnes	Goodwin	Mathews	Turnham
Carter	Grainger	May	Waggoner
Casey	Gray (F)	Merrill	Waldrop
Cauthen	Grey (D)	Mims	Wallace
Chesnut	Hale	Naramore	Warren
Connell	Harris	O'Daniel	Weeks
Coshatt	Headley	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Cross	Hughes	Reid (R)	Wynot
Crowe			

—80

Mr. Smith (P) offered the following amendment to the bill, H. 1612 as amended:

Amend H. B. 1612 (1) by changing the figure \$27,000,000.00 in the title and synopsis to read \$27,500,000.

(2) by changing the figure \$27,000,000.00 in Section 2 to read \$27,500,000.

(3) by adding a new subsection (dd) in Section 7 as follows:

"(dd) Special Vocational Technical institute at the Alabama Institute for Deaf and Blind . . . \$500,000.00

and (4) by changing the total figure on Section 7, "\$11,000,000," to read "\$11,500,000."

And the amendment was adopted.

Yeas 85; Nays 1.

Yeas:

Mr. Speaker	Barkett	Boles	Brassell
Adwell	Barron	Boutwell	Burgess
Agee	Benton	Bowers	Carnes

Carter	Flippo	McDonald	St. John
Casey	Gafford	McMillan	Slate
Cauthen	Goodwin	McNair	Smith (K)
Chesnut	Grainger	Manley	Smith (P)
Collins	Gray (F)	Mathews	Snell
Connell	Grey (D)	May	Stewart
Coshatt	Hale	Merrill	Stokes
Cottingham	Harris	Mims	Stubbs
Cross	Hill	Naramore	Turner
Crowe	Hughes	O'Daniel	Turnham
Doss	Jackson	Owens	Waggoner
Downing	Jones (F)	Parker	Wadrop
Drake	King	Porter	Wallace
Easters	Kinsey	Pruitt	Warren
Edwards	Lang	Reed (T)	Weeks
Eilis	Lutz	Reid (R)	Williams
Erdreich	McCluskey	Reynolds	Wise
Falkenburg	McCorquodale	Roberts	Wynot
Fite			

—85

Nay: Mr. Dill.

—1

And the bill:

H. 1612. To authorize Alabama Public School and College Authority to sell and issue \$27,500,000.00 aggregate principal amount of additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds and the public sales thereof; to make an appropriation and pledge, for the pro rata payment of the principal of and the interest on the said bonds from proceeds of the residue of certain excise taxes to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, the moneys so appropriated and pledged, and will not create a debt or obligation of the limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivision, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instruments; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not affect the validity of any other portion of this Act.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 3.

Yeas:

Messrs.:	Barkett	Boles	Brassell
Adwell	Barron	Boutwell	Burgess
Agee	Benton	Bowers	Callahan

REGULAR SESSION
28th Day

3173

Carnes	Flippo	McDonald	Slate
Carter	Gafford	McMillan	Smith (K)
Casey	Goodwin	McNair	Smith (P)
Cauthen	Grainger	Manley	Snell
Chesnut	Gray (F)	Mathews	Stewart
Connell	Grey (D)	May	Stokes
Cottingham	Harris	Merrill	Stubbs
Cross	Headley	Mims	Turner
Crowe	Hill	Naramore	Turnham
Doss	Hughes	O'Daniel	Waggoner
Downing	Jackson	Owens	Waldrop
Drake	Jones (F)	Parker	Wallace
Easters	King	Porter	Warren
Edwards	Kinsey	Reed (T)	Weeks
Ellis	Lang	Reid (R)	Williams
Erdreich	Lutz	Reynolds	Wise
Falkenburg	McCluskey	Roberts	Wynot
Fite	McCorquodale	St. John	

Nays: Messrs. Dill, Hale and Nettles.

—82

—3

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Porter and Chesnut, unanimous consent was granted for the Journal to show them voting "Yea" on the bills, H. 1318 and H. 1345.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 322. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974 and September 30, 1975.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews, the House concurred in and adopted the Senate amendment to the bill, H. 322, said Senate amendment being as follows:

Amend Substitute for H. B. 322 by substituting for the 4th item in Section 27, on Page 18, the following:

"For operation and maintenance of Troy State University at Maxwell Air Force Branch." . . . \$150,000.00

McDOWELL LEE,
Secretary.

Add:

Section 4, page 8-A (par. c) Vocational Education:

Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institutions for contrac-

tual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repair and rental of buildings and equipment.

McDOWELL LEE,
Secretary.

Amend the Harris Substitute, as amended, for H. B. 322, by adding to Section 32(8), page 21, the following:

State Mine Experiment Station

Mineral Resources Institute	\$300,000
-----------------------------	-----------

Insert a new Subsection 14 at the end of Section 28 on page 19 and 20, viz:

To establish a pilot program for the training of brain-injured children from North Alabama at the Birmingham Training Center For Brain-Injured Children:

For the fiscal year ending September 30, 1974	29,100.00
For the fiscal year ending September 30, 1975	29,100.00

McDOWELL LEE,
Secretary.

A BILL TO BE ENTITLED AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

Be It Enacted by the Legislature of Alabama:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable:

(a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes;

(b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions, including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rental and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes;

(c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year;

(d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 2. The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and are hereby made for the support of public education in Alabama for each of the two fiscal years ending September 30, 1974, and September 30, 1975, respectively; and, except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama 1940) and shall be in the amounts specified in said sections.

Section 3. DEPARTMENT OF EDUCATION:

A. For the Department of Education:

For the fiscal year ending September 30, 1974:

For the salary of the State Superintendent	23,500.00	
For other salaries	931,263.00	
For operation and maintenance of Teacher Training and Certification	200,000.00	
For other expenses	149,200.00	
For rental expense	98,058.00	
For equipment purchases	33,622.00	
For transfer to State Personnel Department	22,300.00	
Total		1,457,943.00

For the fiscal year ending September 30, 1975:

For the salary of the State Superintendent	23,500.00
For other salaries	1,015,769.00
For operation and maintenance of Teacher Training and Certification	200,000.00
For other expenses	162,080.00
For rental expense	475,000.00
For equipment purchases	39,670.00

JOURNAL OF THE HOUSE, 1973
28th Day

For transfer to State Personnel Department	22,300.00	
Total		1,938,319.00
B. Department of Education		
In-Service Training		1,000,000.00
C. For Adult Basic Education:		
To be used to match Federal funds for a removal of illiteracy program:		
For the fiscal year ending September 30, 1974		150,000.00
For the fiscal year ending September 30, 1975		160,000.00
D. Civil Defense Survival Plan:		
For salaries and other expenses only, in the operation of the Civil Defense Survival Plan:		
For the fiscal year ending September 30, 1974		13,797.00
For the fiscal year ending September 30, 1975		14,487.00
E. Coordination of In-School Television Program:		
For the fiscal year ending September 30, 1974:		
For salaries	61,212.00	
For other expenses	13,500.00	
For equipment purchases	2,500.00	
Total		77,212.00
For the fiscal year ending September 30, 1975:		
For salaries	64,280.00	
For other expenses	13,500.00	
For equipment purchases	2,500.00	
Total		80,280.00
F. For Driver Education and Transportation:		
For the fiscal year ending September 30, 1974:		
For salaries	162,610.00	
For other expenses	58,806.00	
For equipment purchases	600.00	
Total		222,016.00

REGULAR SESSION
28th Day

3177

For the fiscal year ending September 30, 1975:

For salaries	178,871.00	
For other expenses	64,687.00	
For equipment purchases	660.00	
Total		244,218.00

G. Drug Education Program:

For the necessary education on drug abuse:

For salaries and expenses	98,500.00	
For equipment purchases	1,500.00	
Total		100,000.00

H. For matching federal funds available under the provisions of the Manpower Development Training Act:

For the fiscal year ending September 30, 1974	100,000.00
---	------------

For the fiscal year ending September 30, 1975	150,000.00
---	------------

I. National Defense Education Program:

For the fiscal year ending September 30, 1974	194,262.00
---	------------

For the fiscal year ending September 30, 1975	213,689.0
---	-----------

J. To the Department of Education for Plans and Surveys:

For the fiscal year ending September 30, 1974:

For salaries	49,680.00	
For other expenses	5,280.00	
Total		54,960.00

For the fiscal year ending September 30, 1975:

For salaries	54,648.00	
For other expenses	5,808.00	
For equipment purchases	600.00	
Total		61,056.00

K. For Regional Technical Institute 300,000.00

Section 4. STATE BOARD OF EDUCATION:

A. Agricultural and Mechanical University:

28th Day

For the operation and maintenance of the University:		
For the fiscal year ending September 30, 1974		3,825,731.00
For the fiscal year ending September 30, 1975		3,919,021.00
B. For Atmore Trade School:		
For operation and maintenance:		
For the fiscal year ending September 30, 1974		123,468.00
For the fiscal year ending September 30, 1975		200,000.00
C. Alabama State University:		
For the operation and maintenance of the University at Montgomery:		
For the fiscal year ending September 30, 1974		3,804,796.00
For the fiscal year ending September 30, 1975		3,975,744.00
D. Civilian Rehabilitation:		
For the fiscal year ending September 30, 1974:		
For the vocational rehabilitation of handicapped individuals	3,317,702.00	
For the Governor's Committee on Employment of Handicapped	20,000.00	
For rehabilitation and continuing care of spinal cord injured and other severely physically handicapped individuals	400,000.00	
Total		3,737,702.00
For the fiscal year ending September 30, 1975:		
For the vocational rehabilitation of handicapped individuals	3,517,702.00	
For the Governor's Committee on Employment of Handicapped	20,000.00	
For rehabilitation and continuing care of spinal cord injured and other severely physically handicapped individuals	400,000.00	
Total		3,937,702.00
E. For Compact for Education		10,500.00
(To be expended in accordance with Act No. 1143, 1969 Regular Session.)		

REGULAR SESSION

3179

28th Day

F. For Driver Education:

For the fiscal year ending September 30, 1974	2,919,966.00
---	--------------

For the fiscal year ending September 30, 1975	3,851,122.00
---	--------------

G. Elementary Teachers Scholarship Fund

25,000.00

H. Free Textbooks:

For the fiscal year ending September 30, 1974:

For salaries	48,000.00
--------------------	-----------

For other expenses	36,657.00
--------------------------	-----------

For disbursements to Local Boards	57,750.00
---	-----------

For equipment purchases	1,200.00
-------------------------------	----------

For the repair of used and the purchase of new textbooks	4,705,393.00
--	--------------

For Operation of Course Study Commission	5,000.00
--	----------

Total	4,854,000.00
-------------	--------------

For the fiscal year ending September 30, 1975:

For salaries	52,800.00
--------------------	-----------

For other expenses	37,775.00
--------------------------	-----------

For disbursements to Local Boards	60,637.00
---	-----------

For equipment purchases	1,000.00
-------------------------------	----------

For the repair of used and the purchase of next textbooks	4,842,788.00
---	--------------

For Operation of Course Study Commission	5,000.00	5,000,000.00
--	----------	--------------

I. Alabama High School of Fine Arts:

For operation and maintenance:

For the fiscal year ending September 30, 1974	120,000.00
---	------------

For the fiscal year ending September 30, 1975	126,000.00
---	------------

The above appropriation is to carry out the provisions of HJR 145 of the 1971 Regular Session.

J. (a) Junior College Equalization Account:

For operation and maintenance of the Junior Colleges listed below, to be distributed by the State Board of Education:

For the fiscal year ending September 30, 1974	16,852,481.00
---	---------------

For the fiscal year ending Sep-
tember 30, 1975

18,969,252.00

(The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City; (2) Albert P. Brewer; (3) John C. Calhoun; (4) Enterprise State; (5) James H. Faulkner; (6) Gadsden (7) Jefferson Davis; (8) Jefferson State; (9) Theodore Alfred Lawson; (10) Mobile State; (11) Northeast; (12) Northwest; (13) Patrick Henry; (14) Snead State; (15) Southern Union; (16) George C. Wallace (Napier Field); (17) George C. Wallace (Selma); (18) Lurleen B. Wallace State.)

Of the above appropriations contained herein in Section 4, paragraph J not more than the sum of \$150,000.00 for the fiscal year ending September 30, 1974, and not more than the sum of \$175,000.00 for the fiscal year ending September 30, 1975, may be used by the State Board of Education for administration of the state junior college program.

(b) For a junior college at Phenix City	250,000.00
K. J. F. Ingram Vocational Technical School:	
For the operation and maintenance of a Vocational Technical School.	200,000.00
L. State Mental Health Department:	
For salaries, other expenses and equipment purchases necessary to operate schools at Alabama State Hospitals:	
For the fiscal year ending Septem- ber 30, 1974	40,125.00
For the fiscal year ending Septem- ber 30, 1975	50,125.00
M. State Mental Health Department:	
For salaries, other expenses and equipment purchases necessary to operate a school at Partlw State School:	
For the fiscal year ending Septem- ber 30, 1974	281,022.00
For the fiscal year ending Septem- ber 30, 1975	316,000.00
N. Minimum Program Fund:	

(a) In addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education for the fiscal year ending September 30, 1974, the sum of \$302,919,589.00 and for the fiscal year ending September 30, 1975, the sum of \$301,919,589.00 to be known as the Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that so much thereof as may be necessary of the above appropriations for each year shall be used by the State Board of Education to provide for additional teacher units for each school system in the State which on the basis of current school attendance shall be entitled to additional teacher units over the number allowed based on the year immediately preceding said current year; provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all moneys earmarked for public school teachers' salaries as provided in the Income Tax Amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund. Provided, that all funds herein appropriated for transportation of students including, but not limited to, those amounts recommended for transportation in the Governor's budget recommendations for the minimum program fund are conditional upon the approval of the Governor who may authorize the release of all such funds or such amounts as he deems necessary.

(b) In addition to the appropriations hereinabove made to the Minimum Program Fund, there is hereby appropriated five million dollars (\$5,000,000.00) for the fiscal year ending September 30, 1975, conditional upon the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

(c) It is provided that from the appropriations hereinabove made the State Board of Education shall allocate and pay from said appropriations not less than five hundred (500) additional teacher units for the program for exceptional children. An additional five hundred (500) teacher units are to be allocated for the fiscal year ending September 30, 1975, conditional upon the payment of the conditional appropriation contained herein. Twenty-five (25) of the teacher units appropriated may be used in early education programs for exceptional children and twenty-five (25) teacher units may be used in regional multi-system, and/or statewide programs for exceptional children during each year of the biennium.

Where teacher units are allocated under the Minimum Program Fund for exceptional children, not less than four hundred dollars (\$400.00) per teacher unit of other current expenses must be given to the ultimate receiving unit for the purpose of purchasing teacher aids and other materials necessary for the teaching of these children.

It is provided that beginning with the fiscal year 1973-74, that in addition to the salary now received, and all other increments due, all teachers under the Minimum Program shall receive a salary increase as follows: Rank I teachers not less than one thousand one hundred sixty dollars (\$1,160.00) per annum; Rank II teachers not less than one thousand dollars (\$1,000.00) per annum; Rank III teachers not less than eight hundred eight dollars (\$808.00) per annum; Rank IV teachers not less than six hundred eighty-one dollars (\$681.00) per annum; teachers holding Rank AA Certificates shall be paid six hundred dollars (\$600.00) per annum above the total amount paid to Rank I teachers with like experience; and any county or city board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund. Said county or city school board shall not pay the aforementioned raise to any teacher who participates in, encourages or condones any mass truancy even for a single day, or any extra-curricular demonstration which is not approved by the City, County or State Board of Education and said teacher shall forfeit the aforementioned increase for that particular year. The State Board of Education may review the action of any System, City or County and require the forfeiture and may withhold said amount from appropriations to the said City or County School Board and said teacher or may review and direct payment to said teacher. It is further provided, that in addition to the salary now received, all school bus drivers shall receive a salary increase of not less than five per centum (5%) per annum, and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

It is provided that in addition to all units earned by the local school system under the Minimum Program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce during the biennium the number of teachers it employed with local funds during the school year 1972-73 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios. The local school system shall furnish the State Department of Education such information as may be necessary to determine that the provisions of this section have been implemented.

(d) In addition to the appropriations hereinabove made to the Minimum Program there is hereby appropriated funds for two (2) days personal leave for each teacher earned under the Minimum Program formula to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave.

For the fiscal year ending September 30, 1974	750,000.00
For the fiscal year ending September 30, 1975	750,000.00

(e) In addition to the appropriations hereinabove made to the Minimum Program (Subsection N) and Vocational Education (Subsection U) in grades 1-12 there is hereby appropriated the sum of one hundred twenty-four dollars (124.00) per annum per teacher, administrative or supervisory unit as allocated under the Minimum Program and the Vocational Education Program to provide hospital-medical insurance assistance. These funds shall be

REGULAR SESSION
28th Day

3183

made available to local boards of education with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in a fiscal year shall revert to the Alabama Special Educational Trust Fund.

For the fiscal year ending September 30, 1974	3,978,554.00
For the fiscal year ending September 30, 1975	4,013,274.00

On or before January 1, 1974 and January 1, 1975, each local board shall report in writing to the State Superintendent of Education, Legislative Council and the Governor on the manner on which the foregoing has been implemented.

O. Minimum Program Account:

Trainable Retarded Children,

For the fiscal year ending September 30, 1974:

For salaries	84,200.00	
For other expenses	7,330.00	
For distribution to Local Board	433,470.00	
For Special Education	360,000.00	
Total		885,000.00

For the fiscal year ending September 30, 1975:

For salaries	89,120.00	
For other expenses	8,063.00	
For distribution to Local Boards	441,817.00	
For Special Education	396,000.00	
Total		935,000.00

The appropriation hereinabove made for salaries and other expenses shall be expended by the State Board of Education for the cost incurred by the State Department of Education in the administration of this program. The appropriation hereinabove made for disbursement to local boards shall be used for the education and training of trainable retarded children and shall include the operation and maintenance of classrooms, classes, transportation of trainable retarded pupils where justified, and compensation of teachers in accordance with Act No. 7, approved June 27, 1963, in accordance with the regulations of the State Board of Education and in accordance with Act No. 249, approved August 16, 1955. The appropriation for Special Education is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.

P. Physical Restoration of Crippled Children:

Handicapped Individuals:

For the fiscal year ending September 30, 1974	2,126,029.00
For the fiscal year ending September 30, 1975	2,441,459.00

Q. The establishment and operations of a statewide Instructional Materials Center for exceptional children.	50,000.00
R. Purchase of special instructional equipment for severely disabled children	50,000.00
S. For Regional Education	123,250.00
T. For Training Teachers of Exceptional Children	250,000.00
U. Vocational Education:	
For the fiscal year ending September 30, 1974:	
For salaries	64,200.00
For other expenses	33,770.00
For rental expense	8,250.00
For equipment purchases	1,650.00
Disbursements to Local Boards and Institutions	17,211,911.00
Total	17,319,861.00
For the fiscal year ending September 30, 1975:	
For salaries	70,620.00
For other expenses	35,459.00
For rental expense	8,663.00
For equipment purchase	1,733.00
Disbursement to Local Boards and Institutions	19,000,344.00
Total	19,116,819.00

The appropriation hereinabove shall be disbursed or obligated during the specified fiscal year in accordance with a formula adopted by the State Board of Education. The total allocation of funds to each county and city board of education from the hereinabove appropriation when combined with Federal Vocational Funds shall be at least equal to the amount received by the respective board during the preceding fiscal year and in addition thereto, a sum equal to the percentage equivalency provided for in the Minimum Program salary increase contained in Section 4, Paragraph N (b). In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula.

Any funds appropriated hereinabove in excess of the preceding fiscal year's distribution and in excess of the percentage salary equivalency under the Minimum Program provision shall be allocated by priorities to those boards that have less than their entitlement.

(b) For Industrial Development Training	1,300,000.00
V. State Vocational Technical School Equalization Account:	

REGULAR SESSION
28th Day

3185

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education:

For the fiscal year ending September 30, 1974	12,710,297.00
---	---------------

For the fiscal year ending September 30, 1975	13,190,708.00
---	---------------

The above appropriation is to be distributed to the following Vocational Technical Schools: (1) Alabama Institute of Aviation Technology; (2) Alabama School of Trades; (3) Harry M. Ayers; (4) Bessemer State; (5) John C. Calhoun; (6) Carver State; (7) J. F. Drake; (8) Gadsden; (9) Hobson; (10) Douglas MacArthur; (11) Muscle Shoals; (12) Northeast Alabama; (13) N. F. Nunnolley; (14) Opelika State; (15) John M. Patterson; (16) Ed E. Reid; (17) Shelton State; (18) Southwest State; (19) Chauncey Sparks; (20) Council Trenholm State; (21) Tuscaloosa; (22) Walker County; (23) George C. Wallace, Cullman; (24) George C. Wallace, Dothan; (25) George C. Wallace, Selma; (26) Wenonah

Of the above appropriations contained herein in Section 4, Paragraph V not more than the sum of \$150,000.00 for the fiscal year ending September 30, 1974, and not more than the sum of \$175,000.00 for the fiscal year ending September 30, 1975, may be used by the State Board of Education for administration of the state vocational technical school program.

**Section 5. BOARD OF TRUSTEES OF
AUBURN UNIVERSITY**

A. The College:

(1) For operation and maintenance:

For the fiscal year ending September 30, 1974	20,359,260.00
---	---------------

For the fiscal year ending September 30, 1975	21,269,713.00
---	---------------

(2) Engineering Experiment Station:

For the fiscal year ending September 30, 1974	380,463.00
For the fiscal year ending September 30, 1975	395,774.00
(3) Television Education:	
For the fiscal year ending September 30, 1974	257,799.00
For the fiscal year ending September 30, 1975	260,489.00
B. Extension Work for Agriculture and Home Economics:	
For advising, demonstrating and informing people of Alabama in agricultural, farm and home pursuits, and other extension services:	
For the fiscal year ending September 30, 1974	3,848,209.00
For the fiscal year ending September 30, 1975	3,950,334.00
For Rural Resources Development Program:	
For the fiscal year ending September 30, 1974	226,908.00
For the fiscal year ending September 30, 1975	236,015.00

The appropriation herein made for the Extension Service shall be expended under the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

C. Agriculture Research:

(1) Alabama Agricultural Experiment Station at Auburn, for work and experimentation:	
For the fiscal year ending September 30, 1974	3,647,746.00
For the fiscal year ending September 30, 1975	3,745,799.00

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (C) shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for each of the fiscal years ending September 30, 1974 and September 30, 1975.

The funds provided in this sub-section (C) shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

D. Auburn University—Montgomery,
Alabama:

For operation and maintenance:

For the fiscal year ending September 30, 1974	2,009,766.00
---	--------------

For the fiscal year ending September 30, 1975	2,291,133.00
---	--------------

Section 6. BOARD OF TRUSTEES OF
ALABAMA BOYS' INDUSTRIAL SCHOOL:

For the operation and maintenance of the Alabama Boys' Industrial School	880,000.00
--	------------

Section 7. BOARD OF TRUSTEES OF
ALABAMA INSTITUTE
FOR DEAF AND BLIND:

(a) For operation and maintenance
of the school:

For the fiscal year ending September 30, 1974	2,144,431.00
---	--------------

For the fiscal year ending September 30, 1975	2,189,928.00
---	--------------

- (b) For salaries and expenses incident to instruction of Adult Blind and for operation of the Trade School at the Institute:

For the fiscal year ending September 30, 1974	858,285.50
For the fiscal year ending September 30, 1975	630,695.50

Section 8. DEBT SERVICE:

- (1) For the payment of principal and interest due on bonds issued by Auburn University (Alabama Polytechnic Institute) pursuant to Constitutional Amendment No. CXX,

For the fiscal year ending September 30, 1974	306,095.00
For the fiscal year ending September 30, 1975	307,720.00

- (2) For the payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXIX,

For the fiscal year ending September 30, 1974	306,095.00
For the fiscal year ending September 30, 1975	307,720.00

- (3) For the payment of principal and interest due on bonds issued by the University of Alabama Research Institute pursuant to Constitutional Amendment No. CLVII,

For the fiscal year ending September 30, 1974	201,200.00
For the fiscal year ending September 30, 1975	201,769.55

- (4) Interest on Endowments:

For the fiscal year ending September 30, 1974:	
For interest on University of Montevallo (Alabama College) Endowment, estimated	42,000.00
For interest on Auburn University Endowment	20,280.00

REGULAR SESSION
28th Day

3189

For interest on University of Alabama Endowment	61,000.00	
For interest on Grove Hill Endowment	600.00	
For interest on Public School Fund Endowment:		
Interest on 16th Section lands, estimated	275,000.00	
Interest on School Indemnity, lands, estimated	62,135.81	
Interest on Valueless 16th Section lands	5,825.47	
Interest on Surplus Revenue	26,763.47	
Interest on James Wallace Fund....	275.25	
Total		493,880.00
For the fiscal year ending September 30, 1975		
For interest on University of Montevallo (Alabama College) Endowment, estimated	42,000.00	
For interest on Auburn University Endowment	20,280.00	
For interest on University of Alabama Endowment	61,000.00	
For interest on Grove Hill Endowment	600.00	
For interest on Public School Fund Endowment:		
Interest on 16th Section Lands, estimated	280,000.00	
Interest on School Indemnity lands, estimated	67,135.81	
Interest on Valueless 16th Section lands	5,825.47	
Interest on Surplus Revenue	26,763.47	
Interest on James Wallace Fund ..	275.25	
Total		503,880.00

Section 9. BOARD OF DENTAL SCHOLARSHIP AWARDS:

For Dental Scholarships at the University of Alabama School of Dentistry or any other dental school accredited by the Council on Dental Education of the American Dental Association. To be expended under the provisions of Act No. 793, 1965 Regular Session	83,000.00
--	-----------

Section 10. EDUCATION OF DEPENDENTS OF BLIND PARENTS:

For reimbursement of every Alabama State institution of higher learning, college, university, or Alabama State Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session; estimated:

For the fiscal year ending September 30, 1974	6,300.00
For the fiscal year ending September 30, 1975	6,930.00

Section 11. ALABAMA EDUCATION STUDY COMMISSION:

To be used for educational studies in accordance with Act No. 15, 1969 Special Session:

For the fiscal year ending September 30, 1974:		
For salaries	80,181.00	
For other expenses	118,055.00	
For equipment purchases	6,764.00	
Total		205,000.00
For the fiscal year ending September 30, 1975:		
For salaries	81,001.00	
For other expenses	117,999.00	
For equipment purchases	6,000.00	
Total		205,000.00

Section 12. ALABAMA EDUCATIONAL TELEVISION COMMISSION:

For the fiscal year ending September 30, 1974:		
For salaries	598,000.00	
For other expenses	425,800.00	
For equipment purchases	100,000.00	
For automotive equipment purchases ..	11,200.00	
For programming	325,000.00	
Total		1,460,000.00
For the fiscal year ending September 30, 1975:		
For salaries	655,000.00	

REGULAR SESSION
28th Day

3191

For other expenses	448,800.00
For equipment purchases	140,000.00
For automotive equipment purchases ..	11,200.00
For programming	350,000.00

Total	1,605,000.00
-------------	--------------

**Section 13. BOARD OF TRUSTEES OF
FLORENCE STATE UNI-
VERSITY:**

For the fiscal year ending September
30, 1974:

For operation and maintenance of the University	3,595,820.00
For School of Nursing Scholarships	18,000.00

(To be expended in accordance with
Act No. 2304, 1971 Regular Session.)
For the fiscal year ending September
30, 1975:

For operation and maintenance of the University	3,760,902.00
For School of Nursing Scholarships	18,000.00
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)	

**Section 14. COMMISSION ON HIGHER
EDUCATION:**

Operation and maintenance	300,000.00
---------------------------------	------------

**Section 15. BOARD OF TRUSTEES OF
ALABAMA INDUSTRIAL
SCHOOL AT MT. MEIGS,
ALABAMA:**

For the operation and maintenance of the Alabama Industrial School at Mt. Meigs, Alabama	700,000.00
--	------------

**Section 16. BOARD OF TRUSTEES OF
JACKSONVILLE STATE
UNIVERSITY.**

For the fiscal year ending September
30, 1974:

For operation and maintenance of the University	5,644,440.00
For School of Nursing Scholarships	18,000.00

(To be expended in accordance with
Act No. 2288, 1971 Regular Session.)

For Gadsden Program	215,786.00
---------------------------	------------

For fiscal year ending September 30,
1975:

For operation and maintenance of the University	5,862,826.00
--	--------------

For School of Nursing Scholarships -----	18,000.00
(To be expended in accordance with Act No. 2288, 1971 Regular Session.)	
For Gadsden Program -----	215,786.00
Section 17. BOARD OF TRUSTEES OF LIVINGSTON UNIVERSITY:	
For the fiscal year ending September 30, 1974:	
For operation and maintenance of the University -----	1,846,269.00
For Hospital and Medical Services Scholarship Fund -----	18,000.00
For the fiscal year ending September 30, 1975:	
For operation and maintenance of the University -----	1,909,425.00
For Hospital and Medical Services Scholarship Fund -----	18,000.00
Section 18. MARINE ENVIRONMENT- AL CONSORTIUM:	
For operation and Maintenance	
For the fiscal year ending September 30, 1974 -----	250,000.00
For the fiscal year ending September 30, 1975 -----	258,750.00
(To be expended in accordance with Acts No. 946 and 2432, 1971 Regu- lar Session.)	
Section 19. MEDICAL SCHOLARSHIPS BOARD:	
For Medical Scholarships at the Uni- versity of Alabama Medical School. To be expended under the provisions of Act No. 278, 1965, 1st Special Session -----	135,000.00
Section 20. BOARD OF TRUSTEES OF UNIVERSITY OF MONTE- VALLO:	
For the fiscal year ending September 30, 1974:	
For operation and maintenance of the University -----	2,937,127.00
For operation and maintenance of a school for Aphasic Children -----	127,032.00
For operation and maintenance of a Highway Safety Program -----	100,000.00

**REGULAR SESSION
28th Day**

3193

For the fiscal year ending September
30, 1975:

For operation and maintenance of the University	2,994,815.00
For the operation and maintenance of a School for Aphasic Children	132,113.00
For operation and maintenance of a Highway Safety Program	100,000.00

Section 21. SOCIAL SECURITY:

For State's share of Social Security:

For the fiscal year ending September 30, 1974, estimated	22,750,000.00
---	---------------

For the fiscal year ending September 30, 1975, estimated	24,700,000.00
---	---------------

**Section 22. SYLACAUGA NURSES
TRAINING SCHOOL:**

For the operation and maintenance of the Nurses Training School at Sylacauga	40,000.00
---	-----------

For School of Nursing Scholarships. (To be expended in accordance with Act No. 2393, 1971 Regular Session.)	18,000.00
---	-----------

**Section 23. BOARD OF TRUSTEES OF
THE UNIVERSITY OF
SOUTH ALABAMA:**

(a) For operation and maintenance of
the University:

For the fiscal year ending September 30, 1974	5,441,884.00
--	--------------

For the fiscal year ending September 30, 1975	5,768,397.00
--	--------------

(b) For the operation and maintenance
of a College of Medicine, School
of Nursing and University Hos-
pital:

For the fiscal year ending September 30, 1974	2,515,000.00
--	--------------

For the fiscal year ending September 30, 1975	3,660,369.00
--	--------------

(c) For Nursing Scholarship	18,000.00
(To be expended in accordance with Act No. 2302, 1971 Regular Session.)	

(d) For Coordinate College for Health
Professions:

For the fiscal year ending September 30, 1974	392,000.00
--	------------

For the fiscal year ending September 30, 1975	512,435.00
Section 24. BOARD OF CONTROL OF THE TEACHERS' RETIREMENT SYSTEM:	
For the fiscal year ending September 30, 1974:	
For the Teachers' Retirement System, Estimated	52,000,000.00
For the fiscal year ending September 30, 1975:	
For the Teachers Retirement System, Estimated	56,500,000.00
The above appropriations shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund.	
For the Teachers' Special Pension Fund	1,500,000.00
Section 25. STATE TENURE COMMISSION:	
For expense of operation	5,000.00
Section 26. BOARD OF TRUSTEES OF THE STATE TRAINING SCHOOL FOR GIRLS:	
For operation and maintenance of the State Training School for Girls:	
For the fiscal year ending September 30, 1974	640,000.00
For the fiscal year ending September 30, 1975	650,000.00
Section 27. BOARD OF TRUSTEES OF TROY STATE UNIVERSITY:	
For operation and maintenance of the University:	
For the fiscal year ending September 30, 1974	4,035,008.00
For the fiscal year ending September 30, 1975	4,177,931.00
For operation and maintenance of Troy State Univ. in Montgomery	150,000.00
For operation and maintenance of Troy State Univ. at Fort Rucker	150,000.00
For School of Nursing—Scholarships	36,000.00
(To be expended in accordance with	

REGULAR SESSION
28th Day

3195

Act No. 2292, 1971 Regular Session.)

Section 28. BOARD OF TRUSTEES OF
THE UNIVERSITY OF
ALABAMA:

A. The University:

(1) For operation and maintenance:	
For the fiscal year ending September 30, 1974	19,995,112.00
For the fiscal year ending September 30, 1975	21,288,196.00
(2) For School of Medicine:	
For the fiscal year ending September 30, 1974	877,676.00
For the fiscal year ending September 30, 1975	1,016,256.00
(3) For Public Service, Research and Extension	1,066,200.00
(4) For Nursing Scholarships	18,000.00
(5) For Alabama Law Institute Library	50,000.00
(6) Gadsden Cooperative Upper Division Program	138,903.00

B. The University—Birmingham:

For the fiscal year ending September 30, 1974:

(1) For the School of Community and Allied Health Resources	900,292.00
(2) For the School of Dentistry:	
For operation and maintenance	2,847,226.00
(3) For Diabetes Clinic:	
For operation and maintenance	200,000.00
(4) For the University College	6,552,250.00
(5) For Center for Labor Education and Research	230,000.00
(6) For Medical School:	
(a) For operation and maintenance	6,767,696.00
(b) For operation and maintenance of Medical Information Service via Telephone	75,000.00
(7) For School of Optometry:	
For operation and maintenance	646,708.00
(8) For School of Nursing	934,407.00
(9) For School of Nursing—Scholarships	88,400.00

28th Day

(10) For Student Nurses—Loan Fund	12,000.00
(11) For the University Hospital and Clinics	1,666,323.00
(12) For Joint Health Science Program:	
For operation and maintenance	1,154,836.00
(13) For Lurleen B. Wallace Cancer Program:	
For operation and maintenance	100,000.00

For the fiscal year ending September 30, 1975:

(1) For the School of Community and Allied Health Resources	936,304.00
(2) For the School of Dentistry:	
For operation and maintenance	3,515,553.00
(3) For Diabetes Clinic:	
For operation and maintenance	200,000.00
(4) For the University College	7,326,520.00
(5) For Center for Labor Education and Research	230,000.00
(6) For Medical School:	
(a) For operation and maintenance	7,106,079.00
(b) For operation and maintenance of Medical Information Service via Telephone	75,000.00
(7) For School of Optometry	
For operation and maintenance	739,095.00
(8) For School of Nursing	971,783.00
(9) For School of Nursing—Scholarships	88,400.00
(10) For Student Nurses—Loan Fund	12,000.00
(11) For the University Hospital and Clinics	1,816,550.00
(12) For Joint Health Science Program:	
For operation and maintenance	1,154,836.00
(13) For Lurleen B. Wallace Cancer Program:	
For operation and maintenance	100,000.00

C. The University—Huntsville:

For the fiscal year ending September 30, 1974:

(1) For operation and maintenance	3,636,822.00
(2) For Environmental Science Center	138,580.00
(3) For School of Medicine	877,676.00

REGULAR SESSION
28th Day

3197

- | | |
|---|-----------|
| (4) For Division of Nursing—
Scholarships | 18,000.00 |
| (To be expended in accordance
with Act No. 2290, 1971 Regular
Session.) | |

For the fiscal year ending September 30, 1975:

- | | |
|---|--------------|
| (1) For operation and maintenance | 3,932,167.00 |
| (2) For Environmental Science
Center | 149,667.00 |
| (3) For School of Medicine | 1,016,256.00 |
| (4) For Division of Nursing—
Scholarships | 18,000.00 |
| (To be expended in accordance
with Act No. 2290, 1971 Regular
Session.) | |

Section 29. VETERANS EDUCATION
BENEFITS:

For reimbursement to every Alabama State institution of higher learning, college, university, or Alabama State trade school or junior college, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session,
Estimated

750,000.00

Section 30. JOHN M. WILL MEMORIAL
SCHOLARSHIP FOUNDATION

1,000.00

Section 31. MONTGOMERY INSTITUTE
NEUROLOGICAL DEVELOPMENT

25,000.00

Section 32. The following appropriations in this section shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor, and are for each of the fiscal years ending September 30, 1974, and September 30, 1975 unless indicated otherwise:

- | | |
|---|------------|
| (1) University of Alabama—Huntsville
Operation and Maintenance | 500,000.00 |
| (2) University of South Alabama | |
| (a) For the University Teaching
Hospital | 750,000.00 |

(b) For the University Medical College:	
For the fiscal year ending September 30, 1974	250,000.00
For the fiscal year ending September 30, 1975	325,000.00
(3) University of Montevallo	250,000.00
(4) Auburn University Alabama Cooperative Wildlife Research Unit	50,000.00
(5) Junior College Equalization Account	
For the fiscal year ending September 30, 1974	500,000.00
For the fiscal year ending September 30, 1975	800,000.00
(6) The Department of Education for the Regional Technical Institute	300,000.00
(7) Auburn University:	
(a) Agricultural Experiment Station System	300,000.00
(b) Cooperative Extension Service	300,000.00
(8) University of Alabama—Tuscaloosa:	
Extension, Public Service and Research	300,000.00
(9) University of Alabama—Birmingham:	
Extension, Public Service and Research	200,000.00
(10) Troy State University:	
Extension, Public Service and Research	200,000.00
(11) Auburn University—Montgomery	100,000.00

Section 33. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon the approval by the Governor, shall issue his warrant therefor; provided, that all appropriations and funds made available to the University of Montevallo, the University of Alabama, the University of South Alabama, Auburn University, the Institute for the Deaf and Blind, the Boys' Industrial School, the Alabama Industrial School at Mt. Meigs, Alabama, the State Training School for Girls, the Alabama Educational Television Commission, Teachers Retirement System, Florence State University, Jacksonville State University, Livingston University, Troy State University and the State Social Security Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

28th Day

Section 34. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 35. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Reid (R)
Adwell	Doss	Kinsey	Reynolds
Agee	Downing	Lang	Roberts
Barkett	Drake	Lutz	Robertson
Barron	Easters	McCluskey	St. John
Benton	Edwards	McCorquodale	Slate
Boles	Ellis	McDonald	Smith (K)
Boutwell	Erdreich	McMillan	Smith (P)
Bowers	Falkenburg	McNair	Snell
Brassell	Fite	Manley	Stewart
Burgess	Flippo	Mathews	Stokes
Callahan	Gafford	May	Stubbs
Carnes	Goodwin	Merrill	Turnham
Carter	Grainger	Mims	Waggoner
Casey	Gray (F)	Naramore	Waldrop
Cauthen	Grey (D)	Nettles	Wallace
Chesnut	Hale	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hill	Perloff	Wise
Cross	Hughes	Porter	Wood
Crowe	Jackson	Pruitt	Wynot
Culver	Jones (F)	Reed (T)	

—91

And the bill, H. 322 as thus amended, was again read at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Casey	Easters	Headley
Adwell	Cauthen	Edwards	Hill
Agee	Chesnut	Ellis	Hughes
Barkett	Collins	Erdreich	Jackson
Barron	Connell	Falkenburg	Jones (F)
Benton	Coshatt	Fite	King
Boles	Cottingham	Flippo	Kinsey
Boutwell	Cross	Gafford	Lang
Bowers	Crowe	Goodwin	Lutz
Brassell	Culver	Grainger	McCluskey
Burgess	Dill	Gray (F)	McCorquodale
Callahan	Doss	Grey (D)	McDonald
Carnes	Downing	Hale	McMillan
Carter	Drake	Harris	McNair

Manley	Perloff	Slate	Waggoner
Mathews	Porter	Smith (K)	Waldrop
May	Pruitt	Smith (P)	Wallace
Merrill	Reed (T)	Snell	Warren
Mims	Reid (R)	Stewart	Weeks
Naramore	Reynolds	Stokes	Williams
Nettles	Roberts	Stubbs	Wise
O'Daniel	Robertson	Turner	Wood
Owens	St. John	Turnham	Wynot
Parker			

—93

MOTION TO SUSPEND RULES

Mr. Hill offered the motion to suspend the rules in order to bring up out of order, the bill, H. 756.

MOTION TO ADJOURN LOST

The motion offered by Mr. Owens that the House adjourn until 2:00 o'clock p.m., Tuesday, August 14, 1973, was lost.

Yeas 37; Nays 46.

Yeas:

Mr. Speaker	Crowe	Jackson	Parker
Agee	Culver	McCorquodale	Perloff
Bank	Downing	McDonald	Pruitt
Barkett	Drake	Manley	Reid (R)
Boles	Edwards	Mathews	Reynolds
Brassell	Fite	Merrill	Slate
Casey	Grey (D)	Mims	Smith (K)
Collins	Headley	Naramore	Wood
Connell	Hughes	Owens	Wynot
Cottingham			

—37

Nays:

Messrs.:	Easters	King	St. John
Adwell	Ellis	Kinsey	Smith (P)
Barron	Erdreich	Lutz	Snell
Benton	Falkenburg	McBride	Stewart
Bowers	Flippo	McCluskey	Stokes
Burgess	Gafford	McMillan	Stubbs
Callahan	Goodwin	McNair	Turner
Carnes	Grainger	May	Turnham
Cauthen	Gray (F)	Nettles	Waggoner
Coshatt	Hale	Reed (T)	Weeks
Dill	Hill	Roberts	Wise
Doss	Jones (F)	Robertson	

—46

The question was then on the motion offered by Mr. Hill to suspend the rules in order to bring up out of order the bill, H. 756, and the motion was adopted.

Yeas 61; Nays 7.

Yeas:

Messrs.:	Boles	Burgess	Coshatt
Adwell	Boutwell	Carnes	Cottingham
Barron	Bowers	Cauthen	Dill
Benton	Brassell	Connell	Doss

REGULAR SESSION
28th Day

3201

Downing	Grey (D)	McNair	Smith (P)
Drake	Hale	May	Snell
Easters	Harris	Mims	Stewart
Edwards	Hill	Netties	Stokes
Ellis	Hughes	Owens	Stubbs
Erdreich	Jones (F)	Parker	Turner
Falkenburg	King	Reed (T)	Turnham
Flippo	Kinsey	Reynolds	Waggoner
Gafford	Lutz	Roberts	Waldrop
Goodwin	McBride	Robertson	Weeks
Grainger	McDonald	St. John	Wood
Gray (F)	McMillan		

—61

Nays:

Messrs.:	Casey	Jackson	Merrill
Agee	Fite	McCorquodale	Smith (K)

—7

And the bill:

H. 756. To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the transfer of control of residential foster care facilities, and youths; to provide for the appointment of a State Youth Services Director, and to prescribe the powers and duties of the said Director; to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said department of the said board; and to prescribe penalties for the violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 1.

Yeas:

Mr. Speaker	Coshatt	Grainger	May
Adwell	Cottingham	Gray (F)	Merrill
Agee	Cross	Grey (D)	Mims
Bank	Culver	Hale	Naramore
Barron	Dill	Harris	Netties
Benton	Doss	Headley	Owens
Boutwell	Downing	Hill	Parker
Bowers	Drake	Hughes	Reed (T)
Brassell	Easters	Jones (F)	Reid (R)
Burgess	Edwards	King	Reynolds
Callahan	Ellis	Kinsey	Roberts
Carnes	Erdreich	Lutz	Robertson
Carter	Falkenburg	McDonald	St. John
Cauthen	Flippo	McMillan	Smith (P)
Collins	Gafford	McNair	Snell
Connell	Goodwin	Manley	Stewart

Stokes
Stubbs
TurnerTurnham
Waggoner
WaldropWallace
Weeks
WilliamsWise
Wood
Wynot

—76

Nay: Mr. Smith (K).

—1

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution and House Bills herein-after mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:40 A.M. on August 9, 1973.

H. 308 (Executive Amendment)

Delivered to the Governor at 2:30 P.M. on August 9, 1973.

H. 73
H. 74
H. 437
H. 446
H. 455
H. 458
H. 459
H. 461
H. 476
H. 462
H. 522
H. 555
H. 571
H. 573
H. 583
H. 584
H. 585
H. 650
H. 659
H. 670
H. 702
H. 722
H. 796
H. 818
H. 820
H. 822
H. 854
H. 810
H. 889
H. 918
H. 921
H. 922
H. 923
H. 949
H. 957

REGULAR SESSION
28th Day

3203

H. 980
H. 981
H. 1003
H. 1008
H. 1009
H. 1010
H. 1011
H. 1012
H. 1013
H. 1015
H. 1029
H. 1030
H. 1036
H. 1045
H. 1050
H. 1051
H. 1052
H. 1066
H. 1088
H. 1089
H. 1090
H. 1140
H. 1141
H. 1142
H. 1144
H. 1180
H. 1197
H. 1199
H. 1200
H. 1201
H. 1209
H. 1210
H. 1229
H. 1244
H. 1256
H. 1271
H. 1293
H. 1323
H. 1324
H. 1327
H. 1366
H. 1368
H. J. R. 65
H. 1376
H. 1386
H. 1387
H. 1388
H. 1396
H. 1398
H. 1399
H. 1402
H. 1407
H. 1415

H. 1416
H. 1417
H. 1418
H. 1419
H. 1420
H. 1468
H. 1469
H. 1470
H. 1471
H. 1472
H. 1473

Delivered to the Secretary of State at 3:15 P.M. on August 8, 1973.

H. 587 (Constitutional Amendment)

JOHN W. PEMBERTON,
Clerk.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Burgess to suspend the rules in order to bring up out of order the bill, H. 1037, was lost, lacking a four-fifths vote.

Yeas 34; Nays 19.

Yeas:

Mr. Speaker	Downing	Kinsey	Slate
Agee	Drake	McMillan	Stewart
Bowers	Gray (F)	May	Stubbs
Brassell	Hale	Merrill	Turner
Burgess	Headley	Owens	Williams
Carnes	Hughes	Reed (T)	Wise
Connell	Jackson	Reynolds	Wood
Coshatt	Jones (F)	Robertson	Wynot
Cottingham	King		

—34

Nays:

Messrs.:	Casey	Flippo	Nettles
Adwell	Culver	Hill	Parker
Barkett	Doss	McCluskey	St. John
Barron	Easters	McDonald	Smith (K)
Benton	Falkenburg	Manley	Stokes

—19

ADJOURNMENT

Mr. Naramore offered the motion that the House adjourn until 1:00 o'clock p.m., Tuesday, August 14, 1973.

The substitute motion offered by Mr. Culver that the House adjourn until 2:00 o'clock p.m., Tuesday, August 14, 1973, was adopted.

REGULAR SESSION
29th Day

3205

TWENTY-NINTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 14, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Joe L. Lane, Pastor, Apostolic Pentacostal Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Easters	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Parker	Weeks
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-eighth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twenty-eighth legislative day was dispensed with and the re-

port of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-eighth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original amended the following House Bill, to-wit:

H. 126. To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

TOM DRAKE,
Chairman.

MOTION IN WRITING

Mr. Hill filed the following Motion in Writing:

Having voted with the prevailing side on the vote in which H. B. 756 passed the House, I now move for reconsideration thereof.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 322. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E), due to illness.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1865. To make a conditional appropriation for the establishment and operation of a Southern Products Merchandising Mart.

H. 574. To authorize the Director of Finance, the Director of the Alabama Development Office, the State Treasurer and the Executive Secretary to the Governor to become a public corporation for the purpose of acquiring land for, and erecting, constructing, maintaining, operating and leasing thereon, a products market, exhibition halls, buildings and other related structures and facilities in Jefferson County, Alabama, where products and goods may be displayed to encourage the buying and selling of such products and goods, to encourage the expansion of existing industries in Alabama, to encourage the location of new industries in Alabama and to foster and encourage the growth of the general economy of Alabama; to provide the procedure for incorporation and to designate the members, directors and officers of the Authority; to provide for the establishment in Jefferson County, Alabama, of a products market to be known as the Southern Products Mart Authority; to prescribe the powers of the Authority, including the power to acquire real estate and to acquire, erect, construct, insure, maintain, manage, operate and lease thereon, facilities, buildings, warehouses, storage facilities, exhibition halls, parking areas and other structures and appurtenances of every kind and character used or useful by the Authority for its purposes, to exercise the power of eminent domain, and the power to sell and issue not exceeding twenty million dollars principal amount of bonds for such purposes; to specify certain provisions to be contained in the bonds and the execution and sale of such bonds; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income herefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues, receipts and income of the Authority and shall not create an obligation or debt of the State or any political subdivision thereof other than the Authority; to provide that any bonds issued by the Authority may be used as security for the deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to specify the application of the revenues, receipts and income of the Authority; to provide for the construction and equipment of the buildings and facilities of the Authority; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues, receipts and income from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues, receipts and income which filing will constitute notice; to provide that the State Treasurer shall be the

custodian of the funds of the Authority; to provide for the lease to or by any person as defined in the act, including the state or any political subdivision thereof, any agency or board of the state, any municipality or body politic, of space for occupancy on the premises or in the buildings or other structures of the Authority; to provide for the audit of books and accounts of the Authority; to provide for competitive bidding on construction contracts; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide for and limit remedies in the event of any default; to provide for dissolution of said Authority and conveyance of its assets and properties to the state upon payment of said bonds; to provide that the provisions of this act shall be severable; and to provide for a date upon which this act shall become effective.

H. 1576. To permit the deduction by individual income tax payers, in computing net income for state income tax purposes, of payments made to a spouse for alimony or separate maintenance; to prescribe payments which shall be deductible by the payer and taxable to the recipient; to prescribe payments which shall not be deductible by the payer nor taxable to the recipient; to become effective for any taxpayer's tax year beginning on or after January 1, 1965.

H. 1913. To amend Section 24 of Act No. 3, H. B. 4, 2nd Special Session 1971 (Acts 1971, p. 4104), entitled "To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973" which section relates to the annual appropriations for the support, maintenance, and development of public education at the University of South Alabama, so as to further regulate the annual appropriation to said University for the fiscal year ending September 30, 1973.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1058. (With Substitute): To provide that persons employed in an administrative or clerical capacity by the Alabama State Employees' Association may become members of the Employees' Retirement System of Alabama.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1912. To authorize the Alabama Public School and College Authority to sell and issue \$7,500,000 aggregate principal amount of additional bonds to provide for the acquisition, construction, reconstruction, improvement, alteration and equipment of buildings and other facilities at The University of Alabama located in Tuscaloosa, Alabama, for public legal educational and allied purposes, including law research and revision, law enforcement training, public service, continuing legal education, and clinical law training and for facilities for the Communications sciences; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of

proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrant issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

H. 1891. To create in the office of the governor the position of voting consultant to the governor; to describe the duties in connection with voter registration, elections and other matters; to make an appropriation which shall be expended solely for the compensation and expenses of such consultant and for legal counsel; providing further that none of such funds shall be expended in any manner for or against the candidacy of any person for public office.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1464. (With Substitute): To amend further Section 3 of Act No. 443, Regular Session 1953, (Acts 1953 p. 549) as amended, which Act provided for law clerks to be appointed by the Chief Justice and Associate Justice of the Supreme Court, by establishing a schedule of compensation for such law clerks based on prescribed qualifications.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1829. (With Amendment): Pursuant to constitutional amendment CCCXVII ratified on January 27, 1972, this bill creates the Judicial Retirement Fund, and provides for the administration and supervision thereof; provides for the qualifications for retirement benefits for certain judicial officers; provides for the payment of retirement and disability benefits from the fund to qualified individuals; and provides for appropriations to carry out the provisions of the Act.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1560. (With Substitute): To further amend Section 1 and Section 2 of Act No. 100, H. 94, Second Special Session 1959, relating to revenue, to exclude the sales tax exemption on certain products sold in vending machines and substitute therefor a tax on all purchases for resale, of food and food products, not including beverages other than coffee, milk, milk products and substitutes therefor, through coin operated dispensing machines.

H. 113. (With Substitute): To amend Sections 1 and 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

H. 355. (With Substitute): Relating to elections: to provide that the State shall reimburse a county either in whole or in part for the expenses incurred in holding and conducting certain elections, and appropriating funds for that purpose.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 237. To amend Sections 2 and 3 of Act No. 2059, H. 862, 1971 Regular Session of the Alabama Legislature (Acts 1971, p. 3320), entitled "An Act Providing for the certification of factory-built housing; to provide for the regulation, administration and enforcement of the provisions of this Act by the Alabama Development Office; to establish certain civil remedies and actions in connection with factory-built housing and to provide penalties for violations of this Act or any rule or regulation promulgated hereunder."

H. 1219. To amend Act No. 691, S. 284, Regular Session 1951, as amended, Code of Alabama, providing for the salary of the official court reporters of the state.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 707. (With Amendment): To create and establish a fund for the Board of Corrections to be used by the Commissioner of Corrections in paying certain administrative expenses in the general office and in the prisons and institutions under his supervision.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 508. (With Substitute): To require the State Department of Pensions and Security to administer the Food Stamp Act of 1964, Public Law 88-525, 88th Congress from funds appropriated to such Department for that purpose from the sales tax receipts; and to provide an effective date conditioned upon passage of an Act amending the distribution of the sales tax, Section 32, Act 100, Acts of Alabama, 1959, Page 298.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following

bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1459. To amend Section 32 of Act 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), relating to the disposition of revenues from sales taxes, so as to provide further for the use of such revenues in all counties having populations of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census; and to provide for the distribution of an additional sum sufficient for the Department of Pensions and Security to administer the food stamp program in such counties, pursuant to the Food Stamp Act of 1964, Public Law 88-525, 88th Congress, and amendments enacted thereto.

H. 1272. To amend Code of Alabama, 1940, Title 52, Sections 364 and 365, which relate to the Teachers' Retirement System, amending such sections in relation to membership service creditable toward retirement and to provide for a conditional appropriation.

H. 1762. To further regulate the procedure for keeping a record of certain non-consumable personal property owned by the State.

H. 1763. To amend further Section 64 of Title 36, Code of Alabama, (1940), as amended, so as to increase the fee for learner's permits to fifty cents.

H. 1764. To amend further Section 74 of Title 36, Code of Alabama, (1940) as amended, so as to increase the fee for a duplicate driver's license to \$1.50.

H. 1765. To amend Section 708, Title 51, Code of Alabama 1940, by increasing the payment for replacement motor vehicle license plates to three dollars, one dollar to be retained by the license inspector or the probate judge and two dollars to be remitted to the department of revenue.

H. 1774. To create a Data Systems Management Division within the Finance Department, to provide its powers, duties, and authority, to authorize the employment of a Director of such division and additional employees and to provide for their compensation, to create an Advisory Committee and its composition, and to make appropriation.

H. 1772. To create the Office of Space Management in the Department of Finance, to prescribe its powers, duties, and responsibilities, to authorize the hiring of a director and staff, and to provide for the compensation of such employees, and to make an appropriation.

H. 1767. To create the position of Manager of Printing and Publications in the Department of Finance, to provide for the functions, duties, and responsibilities of this position, to provide for the employment of a manager and additional employees and their compensation, and to make an appropriation.

H. 1635. To provide a state scholarship program to promote the education of graduate nurses at the School of Nursing of the University of Alabama, Birmingham, and making appropriations therefor.

H. 946. To amend further Section 2, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to provide that where any used part of an automotive vehicle or a truck trailer, semitrailer or a house trailer is

taken in trade as a credit or part payment on the sale of a new or rebuilt part, the sales tax shall be paid on the net difference, and to provide that this provision shall not be construed to include tires and batteries.

H. 1750. To make an appropriation to the highway department to dredge certain channels.

H. 1278. This is a bill increasing the salary of supernumerary court reporters as last amended by Act No. 753, S. 478, Acts of Alabama, 1967 (Vol. II, p. 1607) and to provide that when called to active court service that they be paid the same salary and in like manner as official court reporters by further amending Section 3, Act No. 817, H. 298, Regular Session 1961 providing supernumerary circuit court reporters for the State of Alabama; prescribing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and making an appropriation to pay their salaries.

H. 1516. To authorize, provide for and regulate certain pay raises for employees of the state who do not receive cost of living pay raises hereafter granted to other state employees and to those employees who hereafter do not receive annual raises at the proper time in the then current fiscal year because of lack of funds; to place certain duties relative to such raises on the head of each state department, board, bureau or agency having employees eligible for such raises, on the director of the state personnel department and on the state comptroller; to provide that such raises shall be retroactive and payable in one lump sum; and to make a continuing appropriation out of the general fund for such raises.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment and it was read a second time and placed on the Calendar, to-wit:

H. 710. (With Amendment): To amend Code of Alabama 1958 Re-compiled, Title 45, Section 54, which section pertains to the providing of a convict with clothing and money upon discharge, so as to provide said convict with money for the least expensive mode of public transportation back to the point of sentencing.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1796. Relating to taxation; providing an additional personal exemption for individual income taxpayers who are blind.

H. 1458. This bill will allow Circuit Judges on a state-wide basis to appoint a temporary special court reporter when in his opinion such appointment is justified thereby allowing the official reporter time out of Court to keep his appeal case work current and not, as now, limited to sickness or other cause when the official court reporter cannot fulfill his or her function in court.

H. 1016. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1925. (With Amendment): To amend Sections 718, 719, 721, 728, 732, 741, 742, and 742(1) of Title 51, Code of Alabama 1940, as amended, to provide for the collection of tobacco tax on tobacco products other than cigarettes by the filing of monthly reports, and to confine the requirements as to affixing revenue stamps to such products to cigarettes, and where needed to provide additional procedure to do so. To also under Section 728 of Title 51, reduce the discount on the sale of revenue stamps to three percent. To also repeal any provisions of law in conflict herewith.

Mr. Fite, Chariman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1534. (With Amendment): To amend Act No. 1260, S. 79, Regular Session of 1971, an Act entitled "An Act To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for the enforcement of the Act and rules, regulations and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended," so as to provide further for legal counsel for the enforcement of the provisions of this Act.

Mr. Fite, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1884. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940," by adding pipeline companies to the corporations included in said Section 88.

H. 1885. To amend Sections 71, 75, 76, 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

H. 1549. To further amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), as amended, relating to the Alabama Historical Commission by increasing the Commission membership.

H. 631. To amend Section 3 of Act o. 1945, H. 584, Regular Session 1971, (Acts 1971, p. 3143), which relates to the authorization of the County Commissioners of the several counties to appoint a County Engineer or a Chief Engineer of the Division of Public Roads; to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation of the salary of said engineer.

H. 1815. To further amend Act No. 173, H. 311, Regular Session 1945, (Acts 1945, p. 304), so as to add a representative from AMVETS to the State Board of Veterans Affairs.

H. 1674. To authorize and empower the State Commissioner of Revenue to enter into reciprocal agreements in regard to the withholding and payment of state income taxes by the personnel of interstate common carriers.

S. 293. To amend Act No. 222, S. 225, Regular Session 1969 (Acts 1969, p. 542), which relates to authorizing the State Treasurer to destroy certain cancelled state warrants after six years elapse from issuance of said cancelled warrants, so as to allow such destruction after three years.

H. 1480. To authorize cooperation among and between counties, municipalities, other governmental subdivisions and agencies, public corporations, the state, and the federal government on a basis of mutual advantage in order better to provide services and facilities to fill the needs of the inhabitants thereof and promote the full development of areas.

H. 107. To replace the "Alabama Apartment Ownership Act" with a new statute establishing and regulating CONDOMINIUM developments, as regards definitions; the nature, ownership and rights to possession of condominium units, common elements and limited common elements; the establishment of condominium property and the contents and recordation of declarations and bylaws and the amendment thereof, deeds, mortgages and other instruments relating to units; the administration and management of condominiums; liability, civil actions and service of process by and against the condominium and its unit owners; the ascertainment and charging of expenses for common elements and limited common elements to unit owners; the assessment of taxes and other public charges to unit owners; liens for labor and materials for work on condominium property and individual units; the mortgaging of condominium property and individual units; the termination of the condominium form of ownership; statutory construction; severability of the statute and repeal of the present Alabama Apartment Ownership Act (Title 47, Sections 286-313).

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute and it was read a second time and placed on the Calendar, to-wit:

H. 679. (With Substitute): To amend Title 22, Sections 258(39), 258(41) (e), 258(46) (b) (2), 258(47) (a), 258(48) (a) (2), 258(48) (a) (3), 258(49) (a) (3), 258(57) (a) (1), 258(57) (a) (4)(iii), and 258(57) (h), relating to the Alabama Uniform Controlled Substances Act, 1971.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2067. Requiring immunization of children against or testing for certain diseases designated by the State Board of Health and requiring proof of immunization or testing prior to entry of children into school.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1220. (With Substitute): To provide for the consent of the spouse of a patient having an abortion.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1196. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

H. 1647. Relating to Chambers County; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, providing for operation of their offices, and to allow the county governing body to pay certain allowances to county officers for expenses they incur to attend the conventions of their respective associations or in the conduct of other business for the county.

H. 1874. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

H. 1876. To amend Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and authorizes, provides for and regulates certain procedures in such court before the Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County, amending the title and Section 1 of such Act so as: To provide that the same procedures may be followed in a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Acts 1971, p. 3907), if such a court is established, and that the Clerk of the Circuit Court shall serve Ex-Officio as Clerk of such Justice Court; and to provide that the Clerk shall be entitled to the fees prescribed so long as he is compensated on a fee basis, but that if the method of his compensation is changed to a salary basis, such fee shall continue to be collected and paid into the county treasury.

H. 1893. Relating to Houston County; to prevent nepotism in county service, prohibiting any officer or employee of the county or county agencies from appointing persons related to him to any office or position of profit with the county or any agency thereof, and prescribing penalties.

H. 1894. Relating to Houston County; to provide for the compensation of the judge of probate in said county, and repealing conflicting laws.

H. 1919. Relating to Lauderdale County; authorizing the county commission to provide parking facilities near the county courthouse and to regulate parking on county property around the courthouse; providing penalties for violations.

H. 1920. Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

H. 1921. Relating to Lauderdale County; authorizing the county commission to establish budgetary limits for the cost of operating all departments of county government and to fix and enforce policies, rules and regulations respecting holidays, vacations and sick leave for all county employees.

H. 1922. To provide that the members of the board of registrars of Lauderdale County shall receive \$15.00 per day for their services.

H. 2022. Relating to Winston County; authorizing and requiring the Judge of Probate of said county to hold an election for the purpose of annexing certain territory to the city of Haleyville, and prescribing the conduct of such election.

H. 2025. To amend Section 2 of Act #535, S. 528, Regular Session, 1965 (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensations of members of the County Commission of Bullock County, so as to provide a mileage allowance for the members of such Commission.

H. 2028. To provide that the provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), which Act abolishes primary elections in all cities and towns having populations of less than 300,000 in Alabama, shall not apply to Etowah County.

H. 2030. Relating to Hale County; providing for the election and tenure of the members of the county board of education.

H. 2044. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials.

H. 2046. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to authorize such county to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

H. 2047. Amending Section 3 of Act No. 729, H. 598, Regular Session 1953 (Acts 1953, p. 985) which provides airport zoning regulations, so as to exclude counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census.

H. 2050. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

H. 2053. To authorize the governing body of any county having a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census, or the governing body of any municipality within such county to establish within such county or within any municipality within such county ambulance service on a non-profit basis; to authorize such county to unite with any municipality within such county or two or more municipalities within such county, to unite with each other or together with such county, in the establishment of such ambulance service, making such service common for the use of such county or participating municipality or municipalities, and to permit the providing of such service by contract or otherwise; to authorize appropriations of public funds for such service by such county or any municipality within such county; to authorize the charging of fees for such ambulance service; and to exempt such county and any municipality within such county from tort liability while operating ambulances or providing ambulance service as authorized herein.

H. 2057. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, to prohibit the discharge of litter, specifically bottles and cans, sewage and any other trash or debris into the waters of such counties; to provide for enforcement and penalties for violations of the provisions of this act.

H. 2058. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to prohibit during the hours between sundown and sunrise the discharge of a gas gun which produces an explosion to drive off birds or animals doing crop damage within a certain distance of the residence of any other person without that persons written consent; prescribing penalties for the violation of this Act.

H. 2064. To permit the Court of County Commissioners, or any similar or successor governing body of Dallas County to supplement, from County funds, the salary of any Circuit Judge residing in said County and serving the Circuit Court of said County.

H. 2065. To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

H. 2066. To make it a misdemeanor to pick wild sea oats on the beaches of counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census.

H. 2068. Applicable to any county having a population of not less than 24,500 nor more than 25,000 according to the last federal decennial census; to provide further for the sale of alcoholic beverages in hotels or motels of such county.

H. 2072. Applicable to any county having a population of not less than 55,500 nor more than 56,500 according to the last federal decennial

census; to provide an additional compensation for the members of the board of registrars of such county.

H. 2073. Applicable to any county having a population of not less than 24,500 nor more than 25,000 according to the last federal decennial census; to provide for a deputy registrar for such county.

H. 2075. To provide for the payment of expense allowances to members of the Board of Registrars, Jury Commission, and Board of Equalization of any county having a population of not less than 50,000 nor more than 52,500 according to the last federal decennial census.

H. 2076. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; allowing establishments that presently have on premise licenses from the Alcoholic Beverage Control Board to sell draft beer without obtaining additional licenses.

S. 442. To repeal Act No. 563, H. 705, Regular Session 1967 and Act No. 857, H. 1491, Regular Session 1971, which authorize the chairman or president of the county governing bodies of counties having a population of 15,400 to 15,625 to make expenditures from the county road, bridge and public building fund.

S. 535. Relating to Talladega County; to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the State Superintendent of Banks, or of the Comptroller of the Currency to establish, maintain, and operate additional offices or places, in cities and towns wholly or partly in such county having not less than 1200 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

S. 605. To further amend Section 1 of Act No. 88, S. 224, Regular Session (Acts 1967, p. 420) which provides clerk hire allowance for certain county officers in certain counties classified on a population basis, so as to provide additional clerk hire.

S. 606. To provide funds for clerical hire for the circuit clerk of all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census.

S. 715. Relating to counties having a population of not less than 35,000 nor more than 38,000 inhabitants according to the last federal decennial census; requiring all members, officers and employees of any chamber of commerce or of any committee, board, agency or subsidiary of any chamber of commerce in said county to be residents of the county.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1906. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376 et seq.) as heretofore amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter es-

tablished under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579 et seq.) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the last or any subsequent federal census.

H. 1878. To amend Sections 279, 280, 282, 283, 284, 285, 288 and 289 of Title 62 of the Code of Alabama of 1940.

H. 1727. Relating to all counties having populations of 600,000 or more according to the most recent federal decennial census; providing for the conversion of certain time spent in the employment of a county but not as a member of the county's retirement system, into paid membership time in the retirement system for county employees and officers.

H. 158. To regulate further the powers and authority of municipalities in counties having populations of 500,000 or more relative to the levy, imposition, assessment or collection of licenses, excises, taxes or other fees on the possession, sale, distribution and use of malt or brewed beverages or of tobacco products within their police jurisdiction, but outside their corporate limits.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 159. (With Amendment): To amend further Code of Alabama 1940, Title 37, Section 733, as amended, with grants cities and towns within the state the authority to fix and collect licenses for any business, trade or profession done within the police jurisdiction but outside their corporate limits, so as to withdraw such power from cities and towns within counties having populations of more than 500,000 and vest in such cities and towns in lieu thereof the power to fix and collect, by contract, reasonable fees for each particular governmental service rendered to a business, trade or profession located within such area.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1827. (With Substitute): To authorize any county in Alabama having a population of 600,000 or more according to the most recent federal decennial census and any incorporated municipality situated therein to cooperate with other governmental subdivisions, public agencies, public corporations and authorities in the construction of new residential water mains and pipes of an approved public water supply system and the extension of presently existing approved public water supply system mains and pipes to all areas of such county not presently served by an approved public water supply system; to authorize the costs of construction and installation of said mains and pipes, together with the costs of any improvements made thereon, or any portion of said costs, to be assessed against the property abutting on the streets, avenues, alleys, highways, or other public places so improved or served by said mains or pipes to the extent of the increase in value of such property by reason of the special benefits derived from such mains or pipes and from their construction, extension or improvement by the county or incorporated municipality; and, as other means of financing such construction, extension or improve-

ment, to authorize the issuance of revenue bonds and the payment of monies out of general and special funds of such county or municipality and out of funds received from the State of Alabama and from the United States Government; and to provide low cost loans to affected property owners.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 394. To amend Title 13, Section 125 (75e) Code of Alabama, 1940, as amended, pertaining to establishing investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, providing for the hiring, salaries, expenses, authority and duties of such officers.

S. 667. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

H. 1740. Relating to all counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census; providing for supernumerary sheriffs in said county; and fixing the qualifications, compensation, status and tenure of office for said officials.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2071. Relating to counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of such counties, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this Act.

H. 2040. To provide that any incorporated municipality in Perry County shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1983. To repeal Act No. 897, H. B. 1595, Regular Session 1971 (Acts 1971, p. 1661), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than

185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

H. 1982. Relating to Madison County; providing for the collection of a filing fee on instruments, documents and papers filed for records in the Probate Judge's office; and further providing that the county governing body may impose an additional filing fee for the filing and recording of the enumerated instruments.

H. 1981. To repeal Act No. 1901, S. B. 1018, Regular Session 1971 (Acts 1971, p. 3091), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

H. 1980. To repeal Act No. 1326, H. 2124, Regular Session 1971, (Acts 1971, p. 2275), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

H. 1979. To repeal Act No. 238, H. B. 581, Regular Session 1961, (Acts 1961, V. 1, p. 268), entitled, "An Act To provide that the judges of probate of all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit."

H. 1978. To repeal Act No. 1305, H. B. 2093, Regular Session 1971, (Acts 1971, p. 2350), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

H. 1977. To repeal Act No. 895, H. B. 1593, Regular Session 1971, (Acts 1971, p. 1659), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any such municipalities."

H. 1976. Relating to Madison County; providing further for the compensation of election officials.

H. 1975. To repeal Act No. 1478, S. 1015, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census."

H. 1974. To repeal Act No. 1329, H. 2117, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000 according to the 1960 or any subsequent federal decennial census."

H. 1972. Relating to Madison County; creating and establishing a county-wide personnel system; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; and providing penalties for violation of any of the provisions of this Act.

H. 1971. To repeal Act No. 202, S. 133, Third Special Session 1971, (Acts 1971, p. 4468), entitled, "An Act To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof."

H. 1973. To repeal Act No. 1391, H. 2306, Regular Session 1971 (Acts 1971, p. 2571), entitled "An Act Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law."

H. 1957. To repeal Act No. 2314, S. 1086, Regular Session 1971, (Acts 1971, p. 3737), entitled, "An Act To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census."

H. 1956. Relating to Madison County and the Twenty-Third Judicial Circuit; pertaining to Solicitor's or District Attorney's Fund.

H. 1955. To repeal Act No. 232, H. 253, Third Special Session 1971, (Acts 1971, p. 4501), entitled, "An Act Relating to Solicitor's or District Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census."

H. 1969. To repeal Act No. 1392, H. 2307, Regular Session 1971, (Acts 1971, p. 2349), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

H. 1970. To repeal Act No. 1488, S. 1083, Regular Session 1971, (Acts 1971, p. 2553), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

H. 1968. Relating to Madison County; authorizing the Board of County Commissioners to establish legal names for all county roads and to set speed limits on county roads, consistent with state policy.

H. 1967. To repeal Act No. 1450, S. B. 971, Regular Session 1971, (Acts 1971, p. 2478), entitled "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy."

H. 1966. Relating to Madison County; providing for appointment and compensation of a secretary for each judge of the circuit court.

H. 1965. To repeal Act No. 126, H. B. 393, Regular Session 1971, (Acts 1971, p. 404) entitled, "An Act To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000."

H. 1964. Relating to Madison County; authorizing the court of county commissioners, board of revenue or other like governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

H. 1963. To repeal Act No. 1477, S. B. 1013, Regular Session 1971, (Acts 1971, p. 2534), entitled, "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the

then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

H. 1962. To repeal Act No. 1331, H. B. 2119, Regular Session 1971, (Acts 1971, p. 2280), entitled "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

H. 1961. Relating to the municipality of Huntsville in Madison County; authorizing the municipality to create a planning commission having certain powers, duties and regulations.

H. 1960. To repeal Act No. 1306, H. 2094, Regular Session 1971, (Acts 1971, p. 2251), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent federal decennial census, to create a Planning Commission having certain powers, duties and regulations."

H. 1959. To repeal Act No. 896, H. 1594, Regular Session 1971, (Acts 1971, p. 1660), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations."

H. 1958. Relating to Madison County; regulating further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court.

H. 1926. To repeal Act No. 2190, H. B. 2769, Regular Session 1971, (Acts 1971, p. 3504), entitled "An Act relating to all counties having a population of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws."

H. 1927. Relating to Madison County; providing for the appointment and compensation of a bailiff for each judge of the County Court and repealing conflicting laws.

H. 1928. To repeal Act No. 2282, S. 1220, Regular Session 1971, (Acts 1971, p. 3683), entitled "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine."

H. 1929. To repeal Act No. 2189, H. 2768, Regular Session 1971, (Acts 1971, p. 3503), entitled, "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial

census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

H. 1930. Relating to Madison County; providing that the Family Court Division of the Circuit Court shall collect a filing fee for the filing of juvenile cases in such court and providing further the judges of such court may assess a fine against juveniles for the violation of law and providing for the disposition of such cost and fine.

H. 1931. To repeal Act No. 1199, H. 2111, Regular Session 1971, (Acts 1971, p. 2078), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations."

H. 1932. Relating to Madison County; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations of any of the provisions of this Act.

H. 1933. To repeal Act No. 1479, S. 1019, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles in such counties and cities."

H. 1934. To repeal Act No. 1333, H. 2121, Regular Session 1971, (Acts 1971, p. 2282), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities."

H. 1935. Relating to Madison County and the City of Huntsville in Madison County; providing for the maintenance, management and operation of places of detention for juveniles.

H. 1936. To repeal Act No. 1327, H. B. 2115, Regular Session 1971, (Acts 1971, p. 2277), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons a restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

H. 1937. To repeal Act No. 1884, S. B. 1021, Regular Session 1971, (Act 1971, p. 3068), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial cir-

cuit, by accused person as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

H. 1939. To repeal Act No. 1389, H. 2304, Regular Session 1971, (Acts 1971, p. 2340), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

H. 1938. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for placing in the general fund of the county all surplus funds given to the District Attorney's office in the circuit by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in which such funds were paid in.

H. 1940. To repeal Act No. 1492, S. 1088, Regular Session 1971, (Acts 1971, p. 2570), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

H. 1941. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney.

H. 1942. To repeal Act No. 1321, H. 2105, Regular Session 1971, (Acts 1971, p. 2272), entitled, "An Act Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census."

H. 1954. Relating to Madison County; prescribing the maximum amount of compensation allowable to members of jury commissions.

H. 1953. To repeal Act No. 1509, S. 1025, Regular Session 1971, (Acts 1971, p. 2594), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

H. 1952. To repeal Act No. 1328, H. 2116, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

H. 1951. To repeal Act No. 1330, H. 2118, Regular Session 1971, (Acts 1971, p. 2279), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties."

H. 1950. Relating to the City of Huntsville in Madison County; providing for the election of a president and vice president of the city board of education.

H. 1949. To repeal Act No. 323, H. 416, Third Special Session 1971, (Acts 1971, p. 4612), entitled, "An Act Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census."

H. 1948. Relating to Madison County; permitting the county governing body to provide parking for certain persons and validating expenses incurred by the county governing body relative to parking prior to the passage of the Act.

H. 1945. To repeal Act No. 1481, S. 1024, Regular Session 1971, (Acts 1971, p. 2537), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

H. 1943. Relating to the City of Huntsville in Madison County; and providing for the appointment of city recorders.

H. 1946. To repeal Act No. 884, H. B. 1241, Regular Session 1969, (Acts 1969, v. 2, p. 1590), entitled, "An Act Relating to counties having populations of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

H. 1944. To repeal Act No. 1325, H. 2110, Regular Session 1971, (Acts 1971, p. 2275), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

H. 1947. To repeal Act No. 234, H. 255, Third Special Session 1971 (Acts 1971, p. 4504), entitled, "An Act To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

H. 1986. To repeal Act No. 1883, S. 1014, Regular Session 1971, (Acts 1971, p. 3064), entitled, "An Act To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases."

H. 1987. To repeal Act No. 1448, S. B. 970, Regular Session 1971, (Acts 1971, p. 2471) entitled, "An Act To provide the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries."

H. 1988. Relating to Madison County; providing authority for the Board of County Commissioners to provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

H. 1989. To repeal Act No. 1334, H. 2123, Regular Session 1971 (Acts 1971, p. 2283), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

H. 1990. To repeal Act No. 1474, S. 1010, Regular Session 1971 (Acts 1971, p. 2514), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

H. 1991. Relatng to Madison County; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

H. 1992. To repeal Act No. 2188, H. B. 2767, Regular Session 1971, (Acts 1971, p. 3502), entitled, "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

H. 1993. To repeal Act No. 2283, S. B. 1221, Regular Session 1971, (Acts 1971, p. 3684), entitled "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

H. 1994. Relating to Madison County; providing that the Judge of Probate shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of the county.

H. 1995. To repeal Act No. 145, H. 131, First Special Session 1971 (Acts 1971, p. 231), entitled, "An Act To provide for the election of a seven member City Board of Education for any city having a population of not less

than 135,000 nor more than 180,000 according to the most recent federal decennial census; and to provide for the terms of its members."

H. 1996. To repeal Act No. 2192, H. B. 2771, Regular Session 1971, (Acts 1971, p. 3507), entitled, "An Act To provide a expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act."

H. 1997. Relating to Madison County; providing an expense allowance for the Judge of the County Court and providing for an effective date for the operation of this Act.

H. 1998. To repeal Act No. 233, H. B. 254, Third Special Session 1971, (Acts 1971, p. 4503), entitled, "An Act To apply only in counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform clothing allowance for deputies and members of the sheriff's force of such counties."

H. 1999. Relating to Madison County; fixing and providing for a uniform and clothing allowance for deputies and members of the Sheriff's force.

H. 2000. To repeal Act No. 1387, H. 2302, Regular Session 1971 (Acts 1971, p. 2330), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrant in all criminal cases in such counties."

H. 2001. To repeal Act No. 1491, S. 1087, Regular Session 1971, (Acts 1971, p. 2569), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census and the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

H. 2002. To repeal Act No. 1912, S. 1091, Regular Session 1971 (Acts 1971, p. 3102), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

H. 2003. To repeal Act No. 2225, H. 2689, Regular Session 1971 (Acts 1971, p. 3579), entitled "An Act To regulate further the costs and fee in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

H. 2004. Relating to Madison County; regulating the costs and fees in the county courts.

H. 2005. Repeal Act No. 1390, H. B. 2305, Regular Session 1971 (Acts 1971, p. 2559), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most

recent federal decennial census; providing for payment of additional compensation from the county treasury."

H. 2006. To repeal Act No. 1489, S. B. 1084, Regular Session 1971 (Acts 1971, p. 2341), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

H. 2007. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

H. 1985. Relating to the City of Huntsville; providing that the city board of education shall adopt written policies with regard to education; providing the manner in which such policies shall be adopted; providing that such written policies shall be made available to all teachers employed by the board; and providing that such written policies and written amendments thereto shall be filed with the city superintendent of education.

H. 1984. To repeal Act No. 43, H. 72, Second Special Session 1971, (Acts 1971, p. 4180), entitled, "An Act To provide that the city board of education in all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education."

H. 2060. To authorize and empower the Madison County Commission or other governing body of Madison County, Alabama, to establish a county-wide water and sewage system by the purchase of any existing water and/or sewage authority in the county, or by legally acquiring same through any other method; to authorize the commission of said county, by appropriate resolution, to provide for the issuance of the necessary municipal bonds to pay for the purchase and/or operation of such a county-wide system; to provide for the operation of such systems; to repeal conflicting laws.

H. 2021. Relating to Madison County and any city or town located therein; providing that any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town located in the county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

H. 2020. To repeal Act No. 24, H. 160, First Special Session 1964, (Acts 1964, p. 45), entitled, "An Act To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks."

H. 2019. Relating to Madison County; fixing the compensation of the judge of the county court.

H. 2018. To repeal Act No. 680, H. B. 954, Regular Session 1967, (Acts 1967, v. II, p. 1507), entitled, "An Act To fix the compensation of the judge of the county court in any county having a population of not less than 170,000 nor more than 300,000 according to the last or any succeeding federal census."

H. 2017. Relating to Madison County; requiring building permits for any structures erected in said county; authorizing and providing means to implement the provisions of said Act; and authorizing funds necessary to implement this procedure.

H. 2016. To repeal Act No. 1701, H. B. 2498, Regular Session 1971 (Acts 1971, p. 2859), entitled "An Act To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure."

H. 2015. Relating to Madison County and the City of Huntsville; further regulating the sale of alcoholic beverages therein.

H. 2014. To repeal Act No. 2490, S. 1016, Regular Session 1971 (Acts 1971, p. 3896), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

H. 2013. To repeal Act No. 1310, H. 2124, Regular Session 1971, (Acts 1971, p. 2258), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

H. 2012. To repeal Act No. 1902, S. 1020, Regular Session 1971, (Acts 1971, p. 3093), entitled "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

H. 2011. To repeal Act No. 1877, H. 2112, Regular Session 1971 (Acts 1971, p. 3056), entitled, "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

H. 2010. Relating to Madison County; pertaining to the registration of voters; providing for meeting days of the board of registrars; and providing for clerical assistants to be furnished to the board by county and city government.

H. 2009. To repeal Act No. 1475, S. B. 1011, Regular Session 1971 (Acts 1971, p. 2516), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

H. 2008. To repeal Act No. 1332, H. B. 2120, Regular Session 1971 (Acts 1971, p. 2281), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

H. J. R. 175. URGING THE STATE EXAMINERS OF PUBLIC ACCOUNTS TO AUDIT THE BOOKS, RECORDS AND ACCOUNTS OF THE CITY OF MIDFIELD, ALABAMA.

Also:

H. J. R. 182. REQUIRING CERTAIN DUTIES OF THE STATE PERSONNEL BOARD RESPECTING THE CLASSIFICATION OF POSITIONS FOR EMERGENCY MEDICAL SERVICES AND THE ESTABLISHMENT OF RATES OF PAY

Also:

H. J. R. 155. TO ESTABLISH AN INTERIM EDUCATION ACCOUNTABILITY STUDY COMMISSION

Also:

H. J. R. 75. PROVIDING FOR CONTINUATION OF THE JOINT COMMITTEE ESTABLISHED BY S. J. R. 97, ACT NO. 382, APPROVED September 5, 1967, and CONTINUED BY S. J. R. 101, Act No. 1046, approved September 12, 1969, and CONTINUE BY H. J. R. 217, Act No. 2418, APPROVED October 1, 1971, TO STUDY THE PROBLEMS OF INTERSTATE AND INTRASTATE HIGHWAY SAFETY GENERALLY.

Also:

S. J. R. 66. COMMENDING THE TOMATO CROP IN TAYLOR, ALABAMA

Also:

S. J. R. 82. CHANGING THE NAME OF THE GEORGE C. WALLACE TRADE SCHOOL OF CULLMAN COUNTY.

And the resolutions were adopted.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Reed (T) :

H. 2078. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county, and to provide for the severability of the parts, sections and provisions of the Act.

Local Legislation No. 1.

By Mr. Reed (T) (With Notice and Proof) :

H. 2079. Relating to Macon County, authorizing the Circuit Clerk to appoint a deputy clerk for the civil division of the Circuit Court and a deputy clerk for the equity division of the Circuit Court, further authorizing the Circuit Clerk to hire a part-time accountant.

Local Legislation No. 1.

Notice and Proof H. 2079:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF MACON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Macon County, authorizing the Circuit Clerk to appoint a deputy clerk for the civil division of the Circuit Court and a deputy clerk for the equity division of the Circuit Court, further authorizing the Circuit Clerk to hire a part-time accountant.

Be It Enacted by the Legislature of Alabama:

Section 1. The Circuit Clerk of Macon County may appoint a deputy clerk for the civil division of the Circuit Court of Macon County and a deputy clerk for the equity division of the Circuit Court of Macon County, each such clerk to be paid a salary of \$5,000 per annum in equal monthly installments out of the general fund of the county.

Section 2. The Circuit Clerk of Macon County may hire a part-time accountant, as needed for the efficient operation of his office, at a salary of \$350 per month to be paid out of the general fund of the county.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

NEIL O. DAVIS.

Sworn to and subscribed before me 13th day of August, 1973.

ALICE M. WHITE,
Notary Public.

By Messrs. Turner and Cottingham:

H. 2080. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Local Legislation No. 1.

By Mr. Mathews:

H. 2081. To make a conditional appropriation to the Special Mental Health Fund from the State General Fund for each of the two fiscal years ending September 30, 1974, and September 30, 1975.

Ways and Means.

By Mr. Williams:

H. 2082. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and

which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in counties having populations of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census, and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Local Legislation No. 1.

By Messrs. Bank, Robertson, Culver and Parker:

H. 2083. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of said commission board, and the time and manner of calling and holding an election therefor.

Local Legislation No. 1.

By Mr. Lyons (With Notice and Proof):

H. 2084. To amend Section 2 of an Act of the Legislature of Alabama approved Aug. 6, 1947, entitled

"An Act to authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Mobile County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel," (Local Acts 1947 p. 172)

To increase the court costs to Two Dollars in proceedings in the Circuit Court of Mobile County, Alabama for the purposes of such Act.

Local Legislation No. 3.

Notice and Proof H. 2084:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of an Act of the Legislature of Alabama approved Aug. 6, 1947, entitled

"An Act to authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Mobile County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel,". (Local Acts 1947 p. 172)

To increase the court costs to Two Dollars in proceedings in the Circuit Court of Mobile County, Alabama for the purposes of such Act.

Be It Enacted By the Legislature of Alabama:

Section 1. Section 2 of an Act of the Legislature of Alabama approved Aug. 6, 1947, entitled "An Act to authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Mobile County, Alabama: to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof, to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto; and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose and the payment of the salaries of such personnel." be and the same hereby is amended to read as follows:

"Section 2. In order to provide a special fund for the maintenance of said Library, there shall be taxed as costs the sum of Two Dollars (\$2.00) in each Civil or Quasi Civil Action at Law, Suit in Equity, Criminal Case, Quasi Criminal Case, proceedings on a Forfeited Bail Bond or proceeding on a Forfeited Bond given in connection with an appeal from a judgment or conviction in any Inferior or Municipal Court of the Circuit Court hereinafter filed in, arising in, or brought by appeal, certiorari or otherwise to the Circuit Court of Mobile County, Alabama, which costs shall be collected as other costs in such cases are collected by the Clerk of said Court or the Register in Chancery thereof, as to the case may be, and shall be paid to the Treasurer of Mobile County, Alabama."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Judy Beasley, being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register July 18, 25, Aug. 1, and 8, 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 13th day of Aug., 1973.

Notary Public.

By Messrs. Carnes, Wynot and Waldrop (With Notice and Proof):

H. 2085. To amend Section 5 of Act No. 226, Acts of Alabama, 1959, as Amended.

Local Legislation No. 1.

Notice and Proof H. 2085:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 5 of Act No. 226, Acts of Alabama, 1959, as Amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 226, Acts of Alabama, 1959, as Amended, is hereby amended to read as follows:

Section 5. The policemen's and firemen's retirement fund shall consist of the following, namely: (a) All of the money, securities, and things of value belonging to any similar fund that may now or hereafter be maintained in the City of Gadsden; (b) All moneys or properties that may be given or donated to said fund by any persons, firm, association, or corporation for the uses and purposes for which said fund is created; and said board may take, by gift, grant, devise, or bequest, any money, personal property, real estate, or any interest therein, or any right of property, for the benefit of said fund; (c) 6 per cent of the monthly salaries of each member of such police and fire departments, which shall be paid by the city clerk to the secretary-treasurer of said board of trustees on the first day of each month; and said six percent of such salaries shall be deducted from said salaries paid such members; (d) all reward money paid to any member of such police and fire departments shall be paid by the recipients of the same into said retirement fund promptly upon receipts of the same; (e) all civil or criminal witness fees received by any member of the police and fire departments for attendance at or before any court or grand jury in Etowah County are located shall be paid into said retirement fund promptly upon the receipt of such fees by the recipients of the same; (f) the governing body of the city shall cause to be paid into said policemen's and firemen's retirement fund, out of the treasury of such city, an amount equal to 12 per cent of the salary of each member of such police and fire departments who contributes to said fund, and such payment shall be made as and when such salary becomes payable and deduction therefrom is made as provided in this section; (g) the city clerk shall cover into said fund all seizure fees collected by the city in cases involving violation of the prohibition laws since the 1st day of February, 1946, and all such fees hereafter collected by the city.

Existing funds and property belonging to or part of any existing similar fund now or hereafter governed by the provisions of this Act, shall be held

and administered, used and governed, and transferred and covered into the policemen's and firemen's retirement fund as provided herein, immediately upon this law becoming effective.

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

Section 3. THIS ACT SHALL BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL BY THE Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before, me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, July 30, August 6, and August 13, all in the year 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me August 13, 1973.

LEO DRISKELL,
Notary Public.

My Commission expires May 16, 1976.

By Messrs. Carnes, Wynot and Waldrop (With Notice and Proof):

H. 2086. To amend further Act No. 226, H. 588, Regular Session 1959, which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for the retirement of such persons.

Local Legislation No. 1.

Notice and Proof H. 2086:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Act. No. 226, H. 588, Regular Session 1959, which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gads-

den, Etowah County, so as to make further provision for the retirement of such persons.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 11 of Act No. 226, H. 588, Regular Session 1959, as amended, is amended further to read as follows:

"Section 11. a) Any member of such police or fire department who has been in continuous service thereof for as long as twenty years, and who was initially employed before October 1, 1973, upon making written application to the board of trustees therefor, shall, without medical examination or disability, be retired from service in such department and, upon such retirement, the board of trustees shall direct the payment to such retired member, monthly, from such fund, the amount hereinafter provided for his particular position, office, salary, or class of work.

b) Any member of such police or fire department who has been in continuous service thereof for as long as twenty-five years and has attained the age of fifty-five, and who was initially employed after September 30, 1973, upon making written application to the board of trustees therefor, shall, without medical examination or disability, be retired from service in such department and, upon such retirement, the board of trustees shall direct the payment to such retired member, monthly, from such fund, the amount hereinafter provided for his particular position, office, salary, or class of work.

Section 2. This act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, July 30, August 6, and August 13, all in the year 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me August 13, 1973.

LEO DRISKELL,
Notary Public.

My Commission expires May 16, 1976.

By Messrs. Carnes, Wynot and Waldrop (With Notice and Proof):

H. 2087. To amend further Section 4 of Act No. 671, H. 921, Regular Session, 1951 (Acts 1951, p. 1158) as amended, which provides for the appointment of a three member Civil Service Board for Gadsden, appointed by the Governor for a term of three years, to provide further for the increase in

membership to five members appointed by a majority vote of the combined legislative delegation of the City of Gadsden; to place restriction on membership.

Local Legislation No. 1.

Notice and Proof H. 2087:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 4 of Act No. 671, H. 921, Regular Session 1951 (Acts 1951, p. 1158) as amended, which provides for the appointment of a three member Civil Service Board for Gadsden, appointed by the Governor for a term of three years, to provide further for the increase in membership to five members, appointed by a majority vote of the combined Legislative Delegation of the city of Gadsden; to place restriction on membership.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 671, H. 921, Regular Session 1951 (Acts 1951, p. 1158) is hereby further amended to read as follows:

"Section 4. The combined legislative delegation of the City of Gadsden, by majority vote shall each year, appoint one person as the successor to the member or members of said Civil Service Board whose terms shall expire that year. "The combined legislative delegation of the City of Gadsden" is hereby defined as consisting of all persons in the Legislature who are elected either wholly or in part by the electors of the City of Gadsden. The terms of those members presently serving shall expire at their designated date. Their successors' terms shall run three years from and including the first Tuesday after the first Monday of April of said year of appointment, and until his successor shall be appointed. There is hereby created two additional positions on said board, the terms of these additional members and their successors being for three years, with appointment to the original position becoming effective September 1, 1973, or immediately upon the effective date of this bill if such date is later than September 1, 1973. Appointments to fill vacancies on said board shall be for the unexpired term. Any member of said board whose term shall expire shall be eligible for reappointment. Three members of said board shall constitute a quorum. No person shall be eligible to be a member of said Civil Service Board who shall not, at the time of his appointment, be over eighteen years of age and an actual resident in and a qualified voter of such city. No person shall be eligible to be a member of said board who holds any office of profit under the city, county, or state.

"Persons within the following categories may not be eligible to serve on said board: (1) a former member of the City Commission (2) any person related by blood or marriage within the fourth degree to any present employee of the Gadsden Police or Fire Department at the time of appointment (3) a

29th Day

former member of either the Gadsden Police or Fire Department. Be it further provided that the Public Safety Commissioner of said City shall serve as an ex-officio member of said board, with no voting rights.

"The members of any civil service board in any city who are holding office on the effective date of this act shall continue to hold office and serve and be members of the board provided for herein."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, July 30, August 6, and August 13, all in the year 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me August 13, 1973.

LEO DRISKELL,
Notary Public.

My Commission expires May 16, 1976.

By Messrs. McDonald, St. John and Drake (With Notice and Proof):

H. 2088. To provide an annual salary for the tax assessor and tax collector of Marshall County.

Local Legislation No. 1.

Notice and Proof H. 2088:

A BILL
TO BE ENTITLED
AN ACTSTATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To provide an annual salary for the tax assessor and tax collector of Marshall County.

Be It Enacted by the Legislature of Alabama:

Section 1. Beginning at the next term of their respective offices following the effective date of this act, the Tax Assessor and Tax Collector of Mar-

shall County shall each receive annual compensation of fourteen thousand dollars (\$14,000). At the commencement of such terms of office, this act shall repeal and supersede all other acts providing for annual compensation of said offices.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

A BILL TO BE ENTITLED AN ACT

To provide an annual salary for the Tax Assessor and Tax Collector of Marshall County.

Before the undersigned authority personally appeared Johnnie Couch who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated July 12, 19, 26, Aug. 2 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit.

JOHNNIE COUCH.

Subscribed and sworn to before me this 10th day of August 1973.

ALICE WELLS HARVEY,
Notary Public.

My Commission expires Mar. 8, 1976.

By Messrs. McDonald and St. John:

H. 2089. To authorize and provide for holding an advisory referendum by the qualified voters in cities having populations of not less than 9,500 nor more than 10,000, according to the most recent federal decennial census, on the question of establishing a school system separate from the county.

Local Legislation No. 1.

By Mr. Reid (R) (With Notice and Proof):

H. 2090. To alter, rearrange and extend the boundaries and corporate limits of the Town of County Line, Blount and Jefferson Counties, Alabama, so as to annex certain territory to the town.

Local Legislation No. 1.

Notice and Proof H. 2090:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follow will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

29th Day

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the Town of County Line, Blount and Jefferson Counties, Alabama, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1: The boundaries and corporate limits of the Town of County Line, Blount and Jefferson Counties, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

The $S\frac{1}{2}$ of the $NE\frac{1}{4}$; the $NW\frac{1}{4}$ of $NE\frac{1}{4}$; the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ all in Section 14; the $S\frac{1}{2}$ of the $NE\frac{1}{4}$ and the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of $NE\frac{1}{4}$ all in Section 15; the $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 9; the $S\frac{1}{4}$ of Section 10, and two acres in the northeast corner of the $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 10; the $S\frac{1}{2}$ of the $SW\frac{1}{4}$ of Section 11; the West 300 feet of the $NW\frac{1}{4}$ of $SW\frac{1}{4}$ of Section 11; all in Township 14 South, Range 2 West, situated and being in Blount and Jefferson Counties, Alabama.

Section 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, 24, 31, and June 7, all in the year 1973.

MRS. R. M. HOWARD.

Sworn to and subscribed before me 7th day of June, 1973.

JANE HILL,
Notary Public.

By Mr. Collins:

H. 2091. To authorize and provide for the collection of an additional application or issuance fee to be charged by the License Commissioners, Judges of Probate, Directors of Revenue, or other public officers performing like duties relating to the application or issuance of motor vehicles licenses, motor vehicle license transfers, drivers licenses or permits, business or professional licenses and the transfer of business licenses in all counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal census, provided however, that no affidavit fee

of twenty-five cents presently prescribed by law in said counties shall be collected for affidavits taken or required in the course of the application or issuance of licenses or transfers.

Local Legislation No. 3.

By Mr. Fite:

H. 2092. Relating to all counties having a population of not less than 16,600 nor more than 16,950, according to the last or any subsequent federal decennial census, authorizing the appointment of a deputy coroner in such counties.

Local Legislation No. 1.

By Mr. Fite (With Notice and Proof):

H. 2093. To make an appropriation from the Marion County treasury for the relief of Ronnie Cook.

Local Legislation No. 1.

Notice and Proof H. 2093:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage, and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the Marion County treasury for the relief of Ronnie Cook.

Be It Enacted by the Legislature of Alabama:

Section 1. The Marion County Commission is hereby authorized, empowered, and directed to appropriate the sum of \$631.75 for the relief of Ronnie Cook to compensate him for personal property damage sustained in an accident involving the Marion County Sheriff's car, which said accident occurred on or about the 11th day of April, 1973, under such circumstances that said county is morally and justly obligated to pay damages, but the said Ronnie Cook has no recourse at law to recover the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation

REGULAR SESSION
29th Day

3245

published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, 26, August 2, and 9, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me August 13, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Messrs. Wise and Jackson (With Notice and Proof):

H. 2094. To authorize the Geneva County Governing Body to provide protection against forest fires within the County and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the County; and prescribing the procedure for levying and collecting such assessments.

Local Legislation No. 1.

Notice and Proof H. 2094:

AN ACT

To authorize the Geneva County Governing Body to provide protection against forest fires within the County and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the County; and prescribing the procedure for levying and collecting such assessments.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Geneva County is authorized, when the need exists, to provide for protection against forest fires in Geneva County by participating in the Alabama Forestry Commission's fire protection program in the manner hereinafter specified.

Section 2. (a) After the Geneva County Governing Body has determined that such a need does exist in Geneva County, the county governing body may, in the manner hereinafter specified, provide for a financial charge or tax to be paid by the owners of forest lands located in Geneva County for the use of the land for timber growing purposes amounting to the whole or any part of the cost of such fire protection program, but not in excess of five cents per acre, provided such financial charge or tax is not greater than the benefit accruing to such forest lands due to the availability of such fire protection.

(b) "Forest lands" as used in this Act, shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands" as used in this act, shall not include any lands primarily used for residential purposes nor shall it include any publicly owned lands.

Section 3. The need for such a financial charge or tax to provide forest fire protection within the county shall be determined by the county governing body after a public hearing is held thereon. Notice of such public hearing shall be given by the county governing body for a period of two (2)

consecutive weeks by advertisement in a newspaper of general circulation in Geneva County. Such advertisement must indicate the date, time, and place of the hearing, the manner proposed to finance such fire protection program, and the part of the cost of such program that is proposed to be paid by the owners of forest lands. Any person owning forest land in Geneva County may appear in person or by attorney at such time and place and make such defense against such financial charge or tax or the amount thereof. After such hearing, the County governing body shall determine the amount of such financial charge or tax and enter on the minutes of the governing body an order fixing such financial charge or tax.

Section 4. Any such financial charge or tax fixed as provided in the above section shall be payable at the same time and in the same manner as county taxes and the owners of the forest lands, as herein defined, shall make report of same to the tax assessor of Geneva County at the time fixed by law for making return of the property of such property owner. Financial charges or taxes levied shall constitute a lien on the property against which they are charged or taxed in case of default in the payment of such financial charge or tax the land may be sold in the same manner and under the same conditions that lands are sold for the satisfaction of liens for county ad valorem taxes and redemption from such sale may be effected in the same manner as is provided by law for redemption where land is sold for non payment of ad valorem taxes.

Section 5. The county governing body of Geneva County is authorized to appoint agents and delegate authority to individuals to search out forest lands in Geneva County, to determine the area and owners thereof, and report the same to the Tax Assessor of Geneva County who shall be authorized, after notice by certified mail to such owners, and hearing before the county governing body if so requested by such owners, to place said financial charge or tax against said forest land as may be determined by the report or such agents or the determination of such county governing body.

Section 6. All monies accruing to Geneva County shall be placed in the General Fund of the county and shall only be spent by the County Governing Body in participating in the Alabama Forestry Commission's forest fire protection program in Geneva County.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon is otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, 26, May 3, and 10, all in the year 1973.

ORSEN B. SPIVEY.

Sworn to and subscribed before me August 13th, 1973.

O. T. SPIVEY.
Notary Public.

By Messrs. Crowe and Naramore:

H. 2095. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 2096. To authorize the Governor, the Director of Finance, and the State Forester to become a public corporation to be known as Forestry Commission Building Authority; to provide the procedure for incorporation, to designate the members, directors, and officers of the Authority; to prescribe the powers of the Authority including the power to provide for the construction, reconstruction, improvement, alteration, and equipment of office buildings and other facilities or buildings for use as the State headquarters of the State Forestry Commission and the acquisition of sites therefor, or the acquisition of such office buildings and other facilities or buildings by purchase or lease-purchase agreement, the power of eminent domain, and the power to sell and issue not exceeding \$ principal amount of bonds for such purposes; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made for rental of its properties and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State; to provide that any bonds issued by the Authority may be used as a security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction and equipment by the Authority of office buildings and other facilities or buildings or the acquisition by the Authority of such buildings and other facilities by purchase or lease-purchase agreement; to authorize the conveyance to said Authority of lands owned by the State or by the State Forestry Commission; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, and to private parties, of space in said office building or buildings and said other facilities and buildings; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; and to provide for dissolution of

said Authority and conveyance of its assets and properties to the State Forestry Commission upon payment of said bonds and upon full performance or termination of all lease-purchase agreements.

Ways and Means.

By Messrs. Waggoner, Bowers and Meeks:

H. 2097. To authorize the City of Vestavia Hills, Alabama to pay Roland L. Paulin for certain expenses as a result of an injury to his son, Mark Paulin.

Local Legislation No. 2.

By Mr. Collins:

H. 2098. To amend Act No. 342, Section 1 on Page 632 of the 1971 Acts of Alabama, "to PROVIDE AN ADDITIONAL AND ALTERNATIVE method of assessing, paying taxes on and issuing license tags for motor vehicles in counties having a population of 300,000 or more according to the last or any subsequent federal census." This amendment to provide for an increase in the mail fee for motor vehicle license tags issued by mail in counties having a population of not less than 300,000 nor more than 500,000.

Local Legislation No. 3.

By Mr. Barkett (With Notice and Proof):

H. 2099. To abolish the fine and forfeiture fund of Dale County: providing for the transfer of all money on hand in such fund to the general fund; providing for the payment of all claims which would be paid from the fine and forfeiture fund to be paid from the general fund; and providing for the payment of all monies which would be paid to the fine and forfeiture fund to be paid to the general fund.

Local Legislation No. 1.

Notice and Proof H. 2099:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To abolish the fine and forfeiture fund of Dale County: providing for the transfer of all money on hand in such fund to the general fund; providing for the payment of all claims which would be paid from the fine and forfeiture fund to be paid from the general fund; and providing for the payment of all monies which would be paid to the fine and forfeiture fund to be paid to the general fund.

Be It Enacted by the Legislature of Alabama:

Section 1. The fine and forfeiture fund of Dale County is hereby abolished.

Section 2. It shall be the duty of the custodian of the fine and forfeiture fund of Dale County to transfer all money on hand in such fund, on the effective date of this act, to the general fund. Thereafter, all claims which would be payable from the fine and forfeiture fund shall be paid from the

general fund. Thereafter, all monies which would be payable into the fine and forfeiture fund shall be paid into the general fund.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for four consecutive weeks, said notice having appeared in the issue of said paper on July 18, 25, August 1, and 8, 1973.

JOSEPH H. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 13th day of August, 1973.

IRENE MATHIS,
Notary Public.

By Messrs. Stokes, Timmons, Callahan, Downing, Wallace, Easters, Nettles, Perloff, Erdreich, Wood, McCorquodale, Barron, Wise, Warren and Coshatt:

H. 2100. To provide that all former Governors of the State of Alabama who shall have been partially or totally disabled while serving in that office shall receive monthly retirement pay out of the general fund in the state treasury.

Ways and Means.

By Mr. Kinsey (With Notice and Proof):

H. 2101. Relating to Baldwin County; to require security deposit for court costs in all civil suits filed in any court in Baldwin County or in lieu thereof a pauper's oath; and prescribing penalties for false statements.

Local Legislation No. 1.

Notice and Proof H. 2101:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to Baldwin County; to require security deposit for court costs in all civil suits filed in any court in Baldwin County or in lieu thereof a pauper's oath; and prescribing penalties for false statements.

Be It Enacted by the Legislature of Alabama:

Section 1. No civil suit shall be received for filing by the clerk of any court in Baldwin County, unless the bill of complaint is accompanied by a cash security deposit in the amount of \$20.00 for court costs. In the event the court costs are not collected from the defendant in such suit, the security deposit shall be applied toward the payment of the costs in the suit. Upon the payment of court costs by the defendant in any suit in which a security deposit has been made, the security deposit shall be refunded to the plaintiff.

Section 2. Any plaintiff who is destitute and unable to furnish the security deposit required by Section 1 of this act shall be relieved from making such deposit upon filing with the bill of complaint in lieu of the deposit a pauper's oath in such form as prescribed by the presiding circuit judge of Baldwin County; provided, however, that there shall be boldly printed thereon at an appropriate place above the signature of the plaintiff making the oath the following words: "Any person who willfully makes a false statement hereon shall be subject to the penalties and punishment of perjury."

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Cameron, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Onlooker, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, 26, August 2, and 9, all in the year 1973.

JOHN CAMERON.

Sworn to and subscribed before me August 9, 1973.

SAMUEL K. SMITH,
Notary Public.

By Messrs. Turnham, Adams and Brassell (With Notice and Proof):

H. 2102. Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; to providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the

Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 2102:

NOTICE

STATE OF ALABAMA
LEE COUNTY

NOTICE is hereby given that a bill, substantially as follows, will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, said court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. DISTRICT COURT CREATED. There is hereby established in Lee County a court with county-wide limited jurisdiction of criminal cases and civil actions formerly at law. The court shall be known as the "District Court of Lee County, Alabama." It shall be in lieu of the Court of Common Pleas of said county which is abolished as of the effective date of this Act. The District Court of Lee County shall be comprised of four divisions as follows: civil, criminal, juvenile and small claims, as provided herein.

Section 2. JURISDICTION.

(a) Except as provided in Subsection (b) following, the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases (including paternity proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of actions in ejectment), cognizable before the circuit court, or formerly in a county court, a juvenile court, or a justice court, and all courts of like jurisdictions. It shall have authority to punish contempts by fine not exceeding \$50.00, and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are consistent with the Rules of Civil Procedure as adopted by the Supreme Court.

(b) The Court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds \$2,000.00, nor take cognizance of any matter or proceeding formerly in equity, except as set out in Section 7, relating to the Juvenile Division of this Court.

(c) The court may adopt and enforce rules and regulations for pleading, practice and procedures in civil, criminal, juvenile and small claims cases consistent with the rules of civil and criminal procedure adopted for the circuit courts except as provided herein.

Section 3. JUDGE.

(a) A judge of the District Court shall be elected by the qualified electors of the county at the general election of 1974, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by the Constitution. He may be removed from office for any cause enumerated in the Constitution, in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Lee County, learned in the law and licensed to practice law in this State. The judge shall not engage in the practice of civil or criminal law, and shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in the Constitution.

(c) The judge shall receive an annual salary of \$20,000.00, payable out of the general fund of the county in equal monthly installments.

(d) The judge shall have authority to: (1) grant writs of habeas corpus and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and Ne exeat returnable to a court of proper jurisdiction, (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, and judges of juvenile and county courts or district courts which may be hereafter created.

(e) The judge shall keep an office in the county courthouse, or such other place as shall be provided by the governing body of the county. His office shall be suitably equipped, furnished and provided at the expense of the county with such office supplies, telephone service, stationery, stamps, furniture, fixtures and other materials as may be necessary for the transaction of the business of the court. The judge shall employ, at his discretion, such officers and employees as may be necessary to conduct the operation of the District Court and all of its divisions as provided in this Act, and shall fix their salaries with the approval of the county governing body. The judge, and all such officers and employees, shall be deemed to be employees of Lee County, Alabama.

Section 4. SESSIONS.

The District Court of Lee County, Alabama, shall be open for the transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times. Sessions of the court shall be held at the county

courthouse or in such other places as may be determined by the judge to be necessary, and any additional facilities required for the court shall be provided by the county governing body. The judge of said court shall determine and fix by order spread upon the minutes a regular time of holding the sessions of said court as necessary for the orderly and speedy trial of all cases.

Section 5. CIVIL DIVISION.

(a) The judge of the District Court of Lee County shall preside over the Civil Division hereby established for said court. Except as otherwise provided in this Act, the practice, procedure and process of the Civil Division of the District Court of Lee County shall be governed by the Alabama Rules of Civil Procedure, and statutes governing commencement and conduct of civil actions in the circuit courts.

(b) In civil actions when the summons, writ of attachment, summons and complaint in attachment, writ of garnishment or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and respond thereto within fifteen days, and the process issued shall so recite.

(c) The Civil Division of the District Court of Lee County shall not draw, organize, or empanel any jury for the trial of civil cases. The judge shall decide all issues of fact without the intervention of a jury.

(d) The sheriff shall attend the sessions of the District Court of Lee County in person or by deputy. He shall execute all writs and processes of the Civil Division of the District Court of Lee County, and perform the same duties as he would be required to perform in the circuit court.

(e) The party in whose favor a judgment is rendered shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as are provided by statute.

Section 6. CRIMINAL DIVISION.

(a) The judge of the District Court of Lee County shall preside over the Criminal Division of said Court. Prosecutions may be commenced in the Criminal Division of the District Court of Lee County upon the sworn complaint made to the judge of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by law, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the same shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued in Lee County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama, Title 36 as amended, shall be returnable to the District Court and shall be tried there.

(c) Either the District Attorney or the Assistant District Attorney for the judicial circuit in which Lee County is situated shall attend the sessions of the criminal division of the court, and shall conduct all criminal prosecutions in the court.

(d) The sheriff shall attend the sessions of the criminal division of the court in person or by deputy. He shall execute and serve all warrants and processes of the criminal court, and perform the same duties as he would be required to perform in the circuit court.

(e) The criminal division of the District Court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

(f) One-half of the costs of court taxed in Rules of the Road cases made by the State Troopers under the authority of Title 36 of the Code of Alabama, 1940, as amended, shall be remitted to the general fund of Lee County, Alabama, for the use of said county.

Section 7. JUVENILE DIVISION.

(a) **JURISDICTION.** The judge of the District Court of Lee County shall preside over the Juvenile Division of said court. The Juvenile Division shall have all of the powers and jurisdiction conferred by law upon Juvenile Courts, including specifically Chapter 7 of Title 13, and Chapter 11 of Title 52, all of Code of Alabama, 1940, as amended or recodified. In addition to the foregoing statutory jurisdiction pertaining to juveniles, while it is exercising its juvenile jurisdiction the District Court shall also have the general powers of equity courts in the exercise of their inherent equity jurisdiction to protect and care for children under the doctrine of *parens patriae*.

(b) **JURY TRIAL.** When a juvenile defendant is entitled to a trial by jury upon making timely demand therefor, or at the discretion of the judge, the judge shall empanel a jury to decide questions of fact in proceedings involving juveniles which would be criminal prosecutions except for the age of the juvenile. In the event a jury venire has been empanelled for the circuit court at the time a juvenile case is being tried, the judge may direct that the jury be selected from such circuit areas involving the welfare of juveniles and their families, and make proper reports to the Court as requested by the Judge or District Attorney. The probation officers may refer to the Department of Pensions and Security for investigation cases involving dependency, neglect and suspected child abuse. The compensation of the juvenile court officer and the probation officers shall be fixed by the Judge, subject to the approval of the county governing body; but the compensation of the juvenile court officer shall be a salary of not less than \$9,000.00 nor more than \$12,000.00 per year, and the compensation of each probation officer shall be a salary of not less than \$9,000.00 nor more than \$12,000.00 per year. Such salaries shall be payable out of the county treasury of Lee County at the same time and in the same manner as the salaries of other employees of Lee County.

(d) **AUTOMOBILE, EQUIPMENT, INSURANCE AND PROFESSIONAL CONFERENCES.** The county governing body of Lee County shall also provide for furnishing such automobiles and other supplies and equipment as are reasonably needed by the Juvenile Court officer and the probation officer or officers, as the case may be, and such equipment as needed by the Court. The county governing body of Lee County shall also provide for paying the maintenance and operating expenses and insurance coverage of all such automobiles as are furnished. Such governing body shall also defray the reasonable expenses of the Judge and any other officer or employee of the juvenile court incurred in attending any conference, seminar or professional

convention relative to the duties, powers and functions of the juvenile court of Lee County, Alabama, or the officers thereof.

(e) LEGAL REPRESENTATION.

(i) The District Attorney or his designated assistant may appear in the Juvenile Court of Lee County, Alabama, in behalf of and in representation of the State or juveniles or parties to the action.

(ii) In the absence of a public defender or in the absence of representation by retained counsel, the Judge of said Court may appoint legal counsel to represent the juvenile in any court proceeding, and said counsel shall be compensated from the County's General Fund as is provided by law.

Section 8. SMALL CLAIMS DIVISION. The Small Claims Division of the District Court of Lee County shall be presided over by the judge of the Court, assisted by a Referee to be appointed by the judge of the District Court of Lee County. Said Referee shall be paid not less than \$6,000.00 nor more than \$7,200.00 per annum, the exact amount to be fixed by the county governing body. The Small Claims Division of the District Court shall be responsible for the disposition of all claims in amounts not exceeding \$250.00. The Referee of the Small Claims Division shall be authorized to issue summons and complaints, and all appropriate writs to commence a suit, and in addition to issue process of garnishment, writs of detinue and attachment, after judgment or as provided by law. Personal service of process shall be executed by any lawful officer or constable and the fees and mileage provided by law for service of process in the circuit courts shall be charged and paid to said constable. Service of any process in the small claims division is effected on the person to be served by delivering to him a copy thereof with a copy of the complaint or other initial pleading, or by leaving such copies at either his usual place of abode or place of employment with some person of the family above 15 years of age or in charge of such place of employment, and in either event informing such person of their contents. In the alternative process may be made by certified mail addressed to the defendant's proper mailing address. In the event the defendant shows to the satisfaction of the court that he was not properly served and did not know of the existence of such suit before judgment was entered against him, and also shows to the satisfaction of the Court that he had a good defense to the claim, in whole or in part, the Court shall set aside any judgment by default and allow the defendant to interpose his defense; but, it shall not be necessary to re-serve the defendant. After service of process has been executed and perfected on the defendant as required by law, the defendant shall appear and answer thereto within five days, and the process issued shall so recite. The filing fee for claims for amounts not exceeding \$50.00 shall be \$5.00. The filing fee for claims for amounts not exceeding \$100.00 shall be \$10.00. The filing fee for claims for amounts in excess of \$100.00 shall be \$15.00. Such filing fees shall be paid in advance by the plaintiff and reimbursed to him if collected from the defendant. No other costs or charges except for service of process, shall be assessed the plaintiff or claimant in the Small Claims Division, but costs for other papers or writs filed shall be set by a schedule of costs to be fixed by the judge. The procedures and forms of the Small Claims Division shall be prescribed by the judge of the District Court of Lee County, and the Referee shall assist the plaintiff in the preparation thereof upon request. The Referee shall have authority to enter judgments by default, and by consent of the parties to hear and decide controversies and cases in the Small Claims Division, but any par-

ty may request his case to be tried before the judge of the District Court. The Referee may be a deputy clerk of this Court, and as such bonded and authorized to take payments or collections on judgments and to issue receipts therefor.

Section 9. CLERKS.

(a) The Circuit Clerk of Lee County shall be the clerk of the Court herein established. In addition to his regular fees, commissions and compensations, the clerk shall receive for such services the sum of \$6,000.00 per annum which sum shall be payable in equal monthly installments from the general fund of the county. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the Court. Before entering upon the performance of his duties as clerk of the District Court of Lee County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

The Clerk shall have power and authority: (1) To administer oaths and take acknowledgments and affidavits; (2) To sign and issue all processes issuing out of the court, in all of its divisions, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments and releases; (3) To approve bonds in civil and criminal cases including appeal bonds; (4) To enter all judgments, orders, and decrees of the court; (5) To certify all appeals and transcripts; (6) To exercise all powers and authority which are now or may be hereafter, conferred on clerks of county or district courts; (7) To supervise the administrative functions of the Small Claims Division of the District Court, subject to the approval of the judge of the District Court.

Section 10. COSTS.

(a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulation as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as provided by law.

(c) A trial tax of \$5.00 shall be collected for the use of the county in each civil action and in every criminal case, a trial tax of \$5.00 shall be collected for the use of the county.

(d) Costs in juvenile cases may be taxed by the Court as in cases formerly in equity, and the County may decline to tax any costs at all. In addition to usual court costs the judge may tax as costs against a juvenile the amount necessary to make restitution to any person injured, damaged or wronged by such juvenile.

Section 11. APPEALS.

Any party aggrieved by a judgment, order, or ruling of the court may, within fifteen days after the rendition thereof, appeal the decision as herein

provided. (1) If the case is a civil case, the appeal lies to the circuit court of Lee County where the trial shall be de novo with trial by jury where demanded by either party in writing filed with the clerk within 15 days after notice of appeal is filed with the clerk or at the option of the appellant the appeal lies to the court of appeals except as to actions involving possession of lands, and shall be governed by statute. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed \$250.00, the issues shall be made up as provided by law; otherwise the pleadings and trial shall be according to the regular rules of pleadings and practice in the circuit court. (2) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by statute. (3) In every criminal case, the appeal lies to the circuit court, but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant or at the option of the appellant to the court of appeals and shall be governed by statute.

Section 12. TRANSFER OF PENDING CASES.

All cases and actions pending in the Court of Common Pleas of Lee County on the effective date of this Act shall be transferred to the Court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court; this Court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 13. COURT REPORTER.

The judge of the District Court of Lee County shall secure the services of a competent shorthand writer to act as court reporter for such court. Such reporter shall be an officer of the Court while performing his duties, and shall have the same powers, duties and responsibilities as a reporter in the circuit court. Such reporter shall, while performing his duties as provided herein, be compensated from the county treasury at the same rate and in the same manner as circuit court reporters, and shall serve at the pleasure of the Judge.

Section 14. SEVERABILITY.

The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 15. REPEALER.

All laws in conflict with this Act are repealed to the extent of the conflict.

Section 16. EFFECTIVE DATE.

This Act shall become effective on the first Monday after the second Tuesday in January, 1975.

**STATE OF ALABAMA
LEE COUNTY**

Before me, the undersigned authority in and for said county in said state, this day personally appeared Millard B. Grimes, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was

publisher of the OPELIKA-AUBURN DAILY NEWS, a newspaper of general circulation, published in Lee County, State of Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, 27, August 3, and 10, all in the year 1973.

MILLARD B. GRIMES,
Publisher.

Sworn to and subscribed before me on this the 14th day of August, 1973.

ROBBIE L. HOOKS,
Notary Public,
State of Alabama At-Large.

By Mr. Turnham:

H. 2103. To authorize the city board of education in all cities having a population of not less than 22,000 nor more than 25,000 according to the last or any subsequent federal decennial census to assume responsibility for community education, park and recreation programs.

Local Legislation No. 1.

By Messrs. Turnham, Adams and Brassell (With Notice and Proof):

H. 2104. Authorizing the Lee County governing body to levy, assess and collect privilege, franchise, license, sales and use taxes to raise funds for schools and general county purposes.

Local Legislation No. 1.

Notice and Proof H. 2104:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Authorizing the Lee County governing body to levy, assess and collect privilege, franchise, license, sales and use taxes to raise funds for schools and general county purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Lee County is hereby authorized to, by ordinance or resolution, levy and provide for the assessment and collection of privilege, franchise, license, sales and use taxes in Lee County, which tax shall be in addition to any and all other county taxes heretofore or hereafter authorized by law. The proceeds from any tax levied pursuant to this act, less the cost of collection shall be used for the public schools, and for general

REGULAR SESSION
29th Day

3259

county purposes, including but not limited to the construction of buildings and facilities.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Auburn Bulletin, a newspaper of general circulation published in Auburn, Ala. Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, 26, August 1, and 8, all in the year 1973.

NEIL O. DAVIS.

Sworn to and subscribed before me August 9, 1973.

ALICE M. WHITE,
Notary Public.

By Mr. Turnham:

H. 2105. To name the bridge on Alabama Highway 10 between Alabama and Georgia the Buddy Crawford Bridge.

Rules.

By Mr. Turnham:

H. 2106. To amend Section 162, Title 52, Code of Alabama 1940, relating to the powers of city boards of education.

Education.

By Messrs. Stewart, Merrill and Burgess:

H. 2107. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Crowe (With Notice and Proof):

H. 2108. To amend Section 3 of Act No. 200, H. 120, 1969 Special Session (Acts 1969, p. 263), entitled, "An Act to provide for Walker County

a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the county, defining violations of the Act; imposing penalties for violations; and repealing conflicting laws," so as to provide for the inclusion of certain other employees under the provision of the Act.

Local Legislation No. 1.

Notice and Proof H. 2108:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 200, H. 120, 1969 Special Session (Acts 1969, p. 263), entitled, "An Act To provide for Walker County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the county, defining violations of the Act; imposing penalties for violations; and repealing conflicting laws," sa as to provide for the inclusion of certain other employees under the provision of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 200, H. 120, 1969 Special Session (Acts 1969, p. 263), is hereby amended to read as follows:

"Section 3. The provisions of this Act shall apply to all officers and employees in the service of the county or any board, agency or instrumentality thereof except: (a) elective officers; (b) members of appointive boards, commissions, and committees; (c) all employees of the County Board of Education; (d) attorneys, physicians, surgeons, and dentists employed in their professional capacities; (e) the judge of any court; (f) independent contractors receiving their remunerations from public funds under contracts awarded by competitive bidding; (g) any person whose employment is subject to the approval of the United States Government or any agency thereof; (h) employees of any other board or commission created by the county governing body; provided, however that the provisions of this Act shall apply to all non-teacher personnel who work in, or under the jurisdiction of, the Maintenance and Transportation Division of the County Board of Education, except bus drivers and janitors, and clerks and office employees of Walker County Board of Education."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Publisher of the DAILY MOUNTAIN EAGLE, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, 9, and 16, all in the year 1973.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 16, 1973.

R. W. BOTELER, JR.,
Notary Public.

By Messrs. McMillan and Falkenburg (With Notice and Proof) :

H. 2109. To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty-five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20); in each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, there shall be taxed as cost a Law Library Tax in the sum of fifty cents (\$.50), said in creases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

Local Legislation No. 2.

Notice and Proof H. 2109:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama of 1973, and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson, County,

Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty-five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20); in each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, there shall be taxed as cost a Law Library Tax in the sum of fifty cents (\$.50), said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of General Circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918. And that there was published in said newspaper in the issues of July 21, 28, August 4, 11, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 13th day of August, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Smith (P) and McCluskey (With Notice and Proof):

H. 2110. Relating to Talledega County, fixing the salary of the tax collector of such county.

Local Legislation No. 1.

Notice and Proof H. 2110:

STATE OF ALABAMA COUNTY OF TALLADEGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Talladega County, fixing the salary of the tax collector of such county.

Be It Enacted by the Legislature of Alabama:

REGULAR SESSION
29th Day

3263

Section 1. The salary of the Tax Collector of Talladega County shall be \$12,500 per annum, payable out of the county treasury as other salaries are paid.

Section 2. Such salary shall be the entire compensation payable to such officers, and no such officer shall receive any fees after such salary takes effect, except that such officers may be reimbursed for actual expenses as provided for by Act No. 2097, H. 1582, Regular Session 1971, (Acts 1971, p. 3364).

Section 3. All laws or parts of laws which conflict with this act are hereby repealed and Act No. 518 H. 982, Regular Session 1951 (Acts 1951, p. 908) and Act No. 519, H. 983, Regular Session 1951 (Acts 1951, p. 908) are expressly repealed.

Section 4. The compensation under this act shall become effective as to the above mentioned officers upon the expiration of the term of office of the incumbents of such offices.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lena Robinson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 23, July 30, and August 6, all in the year 1973.

LENA ROBINSON.

Sworn to and subscribed before me 6th day of August, 1973.

ZELL S. COPELAND,
Notary Public.

By Mr. McDonald (With Notice and Proof):

H. 2111. Relating to Marshall County, Alabama; relating to The Official Court Reporter for the County Court of Marshall County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 2111:

NOTICE

Notice is hereby given that application will be made to the Legislature of the State of Alabama for the passage, approval and enactment into law of substantially the following:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marshall County, Alabama; relating to The Official Court Reporter for the County Court of Marshall County, Alabama. Be it enacted by the Legislature of Alabama:

Section 1. To amend Section 1 of Act No. 98, approved December 22, 1971, so that said Section reads as follows: "That the Judge of said Court shall by order, spread upon the minutes, appoint a competent person as the official court reporter for said court. Such official Court Reporter, when so appointed, may be removed by the Judge of said Court at this discretion. His qualifications, duties and powers shall be the same as reporters of the circuit courts of the state. Said official court reporter shall receive the same rate of compensation for transcribing the testimony, or other proceedings, as are now provided for said circuit court reporter, but, shall, as a salary, receive not less than \$4,800.00 annually, and not more than \$6,600.00 annually as set by the judge of said court payable out of the general funds of the county. The services of said reporter, when not actually working under the direction of the judge of said court, shall be available to the circuit clerk in the discharge of his duties in this court."

Section 2. If any clause, sentence, paragraph or section of this act shall for any reason be adjudged by any court of competent jurisdiction, to be invalid, unconstitutional, or otherwise unlawful, such judgment shall not affect, impair, or invalidate any other portion of this act, but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which judgment shall be granted.

Section 3. This act shall become effective immediately upon its passage by the Legislature, and approval by the Governor, or upon its otherwise becoming law.

PUBLISHER'S AFFIDAVIT

Notice A Bill to be entitled an act relating to the official Court Reporter of Marshall County.

Before the undersigned authority personally appeared Johnnie Couch, who being first duly sworn deposes and says that she is a representative of the Guntersville Advertiser-Gleam, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for five successive weeks in the issue or issues of said paper dated July 12, 16, 26, Aug. 2 and 7 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit.

JOHNNIE COUCH.

Subscribed and sworn to before me this 10th day of August 1973.

ALICE WELLS HARVEY,
Notary Public.

My Commission expires Mar. 8, 1976.

By Messrs. Smith (P) and McCluskey (With Notice and Proof):

H. 2112. Relating to Talladega County, fixing the salary of the Tax Assessor of such county.

Local Legislation No. 1.

Notice and Proof H. 2112:

STATE OF ALABAMA
COUNTY OF TALLADEGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Talladega County, fixing the salary of the Tax Assessor of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the Tax Assessor of Talladega County shall be \$12,500 per annum, payable out of the county treasury as other salaries are paid.

Section 2. Such salary shall be the entire compensation payable to such officer, and no such officer shall receive any fees after such salary takes effect, except that such officer may be reimbursed for actual expenses as provided for by Act No. 2097, H. 1582, Regular Session 1971 (Acts 1971, p. 3364).

Section 3. All laws or parts of laws which conflict with this act are hereby repealed and Act No. 518 H. 982, Regular Session 1951 (Acts 1951, p. 908) and Act No. 519, H. 983, Regular Session 1951 (Acts 1951, p. 908) are expressly repealed.

Section 4. The compensation under this act shall become effective as to the above mentioned officer upon the expiration of the term of office of the incumbents of such office.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lena Robinson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the

State of Alabama, said notice having appeared in the issues of said paper on July 21, July 23, July 30, and August 6, all in the year 1973.

LENA ROBINSON.

Sworn to and subscribed before me this 6th day of August, 1973.

ZELL S. COPELAND,
Notary Public.

By Messrs. Smith (P) and McCluskey (With Notice and Proof):

H. 2113. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 2113:

NOTICE

After completion of publication hereof, as required by the constitution and laws of the State of Alabama, the following local act will be introduced for passage in the Legislature of Alabama:

AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama, be, and the same are hereby, extended, altered and rearranged so as to include within the corporate limits of said City all of the following described territory. Beginning at the southeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of Section 6, Township 19 South, Range 6 East, and run westerly a distance of two miles along the south boundary lines of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 6, the North Half (N $\frac{1}{2}$) of Section 1, Township 19 South, Range 5 East, and the Northeast Quarter (NE $\frac{1}{4}$) of Section 2, Township 19 South, Range 5 East, to the southwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 2; thence southerly a distance of one-half mile along the east boundary line of the Southwest Quarter (SW $\frac{1}{4}$) of Section 2, Township 19 South, Range 5 East, to the south boundary line of said Section 2; thence westerly a distance of one mile to the southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 3, Township 19 South, Range 5 East; thence northerly along the west boundary line of the Southeast Quarter of Section 3 a distance of one-fourth mile to the southeast corner of the North Half of the Southwest Quarter of Section 3; thence westerly along the south boundary line of the North Half of the Southwest Quarter of Section 3 and the south boundary line of the North Half of the Southeast Quarter of Section 4, and the south boundary line of the North Half of the Southwest Quarter of Section 4 to point where said south boundary line intersects the center line of Talladega Creek in the Southwest Quarter of Section 4; thence northwesterly along the center line of said Talladega Creek as it meanders through Sections 4 and 5 to a point where the center line of said Talladega Creek intersects the west boundary line of the East Half of Section 5; thence northerly along the west boundary line of the East Half of Section 5, Township 19 South, Range 5 East, and

along the west boundary line of the East Half of Sections 32, 29 and 20, Township 18 South, Range 5 East, to the northwest corner of the Southwest Quarter of the Northeast Quarter of Section 20; thence easterly along the north boundary line of the South Half of the Northeast Quarter of Section 20 a distance of one quarter of a mile to the southwest corner of the Northeast Quarter of Section 20; thence northerly along the west boundary line of the Northeast Quarter of the Northeast Quarter of Section 20 a distance of one quarter of a mile to the northwest corner of the Northeast Quarter of the Northeast Quarter of Section 20; thence westerly along the north boundary line of Section 20 a distance of one quarter of a mile to the southwest corner of the Southeast Quarter of Section 17; thence northerly along the west boundary line of the Southeast Quarter of Section 17 a distance of one quarter of a mile to the northwest corner of the Southwest Quarter of the Southeast Quarter of Section 17; thence easterly along the north boundary line of the South Half of the Southeast Quarter of Section 17 and of the South Half of South Half of Section 16 and 15 a distance of approximately two and one tenth (2.1) miles to the point where said north boundary line intersects the east right-of-way line of the Jackson Trace Road; thence northerly a distance of one quarter of a mile to a point on the north boundary of the Southeast Quarter of Section 15, said point being 1,950 feet west of the east boundary line of Section 15; thence easterly along the north boundary line of the Southeast Quarter of Section 15 a distance of 975 feet to a point; thence North 2 degrees 32 minutes 30 seconds East a distance of 348.59 feet; thence South 87 degrees 27 minutes 30 seconds East a distance of 525.0 feet; thence South 2 degrees 32 minutes 30 seconds West a distance of 348.59 feet; thence South 87 degrees 27 minutes 30 seconds East a distance of 450.0 feet to the northeast corner of the Southeast Quarter of Section 15; thence southerly along the east boundary line of Section 15 a distance of 1541.6 feet, more or less, to the southern most point of the U.S. Government Reservation for Coosa River Ordinance plant; thence North 64 degrees 03 minutes 30 seconds East along the southeastern boundary line of said U.S. Government Reservation a distance of 1419.93 feet to a point; thence North 25 degrees 48 minutes 30 seconds West a distance of 535.98 feet to a point; thence North 64 degrees 11 minutes 30 seconds East a distance of 950.0 feet to a point; thence South 25 degrees 48 minutes 30 seconds East a distance of 318.0 feet to a point; thence North 64 degrees 11 minutes 30 seconds East a distance of 684.0 feet, more or less, to a point on the N-S half section line of Section 14; thence northerly along said N-S half section line of Section 14 and along the N-S half section line of Section 11 a distance of three quarters of a mile to the south boundary line of the North Half of the South Half of Section 11; thence westerly along said south boundary line a distance of one-half mile to the west boundary line of Section 11; thence northerly along said west boundary line and along the west boundary line of Section 2 a distance of one and three-quarters miles to the northwest corner of Section 2, said corner being located on the north boundary line of Township 18 South; thence easterly along said township line a distance of 2950 feet, more or less, to the Southeast corner of the Southwest Quarter of Section 6, Township 18 South, Range 6 East; thence southerly along the east boundary line of said Northwest Quarter of Section 6 a distance of one-eighth of a mile to the southeast corner of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of said Section 6; thence easterly parallel with the north boundary line of Township 18 a distance of one-half mile to the east boundary line of Section 6; thence southerly along the east boundary line of Section 6 a distance of seven-eighths of a mile to the southeast corner of said Section 6; thence southwesterly in a straight line

a distance of 2950 feet, more or less, to the outeast corner of the Southwest Quarter of the Northeast Quarter of Section 7; thence southerly along the east boundary line of the Northwest Quarter of the Southeast Quarter of Section 7 a distance of one-fourth mile to the southeast corner of said Northwest Quarter; thence westerly along the south boundary line of the North Half of the South Half of said Section 7 a distance of three-quarters of a mile to the east boundary line of Section 12; thence southerly along the east boundary line of Sections 12 and 13 a distance of one mile to the northwest corner of Southwest Quarter of Southwest Quarter of Section 18, Township 18 South, Range 6 East; thence easterly along the north boundary line of South Half of South Half of Section 18, a distance of one-half mile to northeast corner of Southeast Quarter of Southwest Quarter of Section 18; thence southerly along the east boundary line of Southwest Quarter of Section 18 and the east boundary line of West Half of Sections 19, 30 and 31, Township 18 South, Range 6 East, and the east boundary line of the Northwest Quarter of Section 6, Township 19 South, Range 6 East, a distance of three and three-quarter miles to the southeast corner of the Northwest Quarter of Section 6, the point of beginning.

The above described boundary line being the corporate limits of the City of Talladega, Alabama, and including all lands lying within the above described boundary line.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall be effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lena Robinson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1973.

LENA ROBINSON.

Sworn to and subscribed before me 18th day of July, 1973.

ZELL S. COPELAND,
Notary Public.

By Messrs. Smith (P) and McCluskey (With Notice and Proof):

H. 2114. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 2114:

NOTICE

After completion of publication hereof, as required by the constitution and laws of the State of Alabama, the following local act will be introduced for passage in the Legislature of Alabama:

AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama, be, and the same are hereby, extended altered and rearranged so as to include within the corporate limits of said Town all of the following described territory: All of the East Half ($E\frac{1}{2}$) the East Half of East Half of West Half ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $W\frac{1}{2}$), the South Three-Fourths of the West Half of Southeast Quarter of Southwest Quarter ($S\frac{3}{4}$ of $W\frac{1}{2}$ of $SE\frac{1}{4}$ of $SW\frac{1}{4}$), and the South Three Fourths of the Southwest Quarter of Southwest Quarter ($S\frac{3}{4}$ of $SW\frac{1}{4}$ of $SW\frac{1}{4}$), of Section 21: the West Half ($W\frac{1}{2}$) of Section 22: All of Section 25: All of Section 26: All of Section 27: All of Section 28: All of Section 34: $N\frac{1}{4}$ of Section 35: $N\frac{1}{4}$ of Section 36: All of Section 33: and the portion of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$), and fraction "A" of Section 32 that are Easterly of the Westerly right-of-way line of the old Talladega-Lincoln Highway (1929-38) and Northerly of U.S. Interstate 29 Highway right-of-way and all portion of Section 32 that is South of I-20, All of Section 31, portion of ($S\frac{1}{2}$) of Section 30, that is South of the Southern Railways right-of-way, All in Township 16 South, Range 5 East, Talladega County, Alabama. Also the North Half, the North Half of the Southwest Quarter and the South One Quarter, ($N\frac{1}{2}$ $N\frac{1}{2}$ of $SW\frac{1}{4}$ and $S\frac{1}{4}$) of Section 4, All of Section 5, the North Half ($N\frac{1}{2}$) of Section 6, the portion of Section 8 that is Northwardly of Choccolocco Creek and the South $\frac{3}{4}$ of Section 9, All in Township 17 South, Range 5 East, Talladega County, Alabama. Also the ($N\frac{1}{4}$) of Section 1, Township 17 South, Range 4 East, Talladega County, Alabama. Also portion of Sections 25, 26, 27, and 35 Southwardly and Eastwardly of the Coosa River and all of Section 36 all in Township 16 South, Range 4 East, Talladega County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall be effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Lena Robinson, who being duly sworn according to law, deposes and says that he is the Clerk of the Daily Home a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues hereof dated as follows: July 23, 30, August 6, and 13 1973.

LENA ROBINSON.

Subscribed and sworn to before me this 13th day of August 1973.

ZELL S. COPELAND,
Notary Public.

By Messrs. Smith (P) and McCluskey:

H. 2115. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than 68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

Local Legislation No. 1.

By Mr. Hardin (With Notice and Proof):

H. 2116. To establish the Butler County Court of Common Pleas in lieu of the Inferior Court of Butler County and to abolish said inferior court; to provide for the jurisdiction, officers, sessions, practice and procedure, and costs of the court herein created; to provide for appeals from said court; to provide for the first judge of said court and for the election and term of his successors in office; to prescribe the qualifications and compensation of the judge; and to repeal conflicting laws and to repeal specifically Act No. 27, H. 213, Regular Session 1951 (Acts 1951, p. 235), and all amendments thereto.

Local Legislation No. 1.

Notice and Proof H. 2116:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To establish the Butler County Court of Common Pleas in lieu of the Inferior Court of Butler County and to abolish said inferior court; to provide for the jurisdiction, officers, sessions, practice and procedure, and costs of the court herein created; to provide for appeals from said court; to provide for the first judge of said court and for the election and term of his successors in office; to prescribe the qualifications and compensation of the judge; and to repeal conflicting laws and to repeal specifically Act No. 27, H. 213, Regular Session 1951 (Acts 1951, p. 235), and all amendments thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. Court Established. As of January 20, 1975, there is hereby established in Butler County a court with county-wide limited jurisdiction of criminal cases and civil actions, as hereinafter provided, which court shall not be a court of record. The court shall be known as the Butler County Court of

Common Pleas. It shall be in lieu of the Inferior Court of Butler County, Alabama, which court shall be abolished on January 20, 1975, and in lieu of all justice of the peace courts of the county heretofore abolished.

Section 2. Jurisdiction. (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases (including bastardy proceedings, and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved), cognizable before the circuit court, or a county court, or the juvenile court, or courts created in lieu of justice of the peace courts and all courts of like jurisdictions. It shall have authority to exercise general superintendence of all courts heretofore or hereafter created in lieu of justice courts, and to punish contempts by fine not exceeding fifty dollars (\$50.00) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure, and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and lawmade rules governing the practice and procedure of courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of actions of ejectment or of any civil action when the matter or sum in controversy exceeds \$500.00, nor take cognizance of any matter or proceeding in equity, except suits involving the custody of children.

(c) The judge of the court shall have and exercise preliminary jurisdiction in felony cases, and the clerk and the clerk's deputy shall have power to take complaints and issue warrants in preliminary proceedings commenced in said court.

Section 3. Judge. (a) The first judge of the Butler County Court of Common Pleas shall be elected in the general election to be held in 1974 and every four (4) years thereafter.

(b) The term of the judge of the court herein established shall be four four years from the first Monday after the second Tuesday in January next succeeding his election and until his successor is elected and qualified.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Butler County, learned in the law, and has been licensed to practice law in this State for two years. The judge and his partner shall not practice law in the court herein established, nor participate in any case appealed from such court, but they shall be free to practice in all other courts and engage in the general practice of law. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive an annual salary of \$7,200 payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs

which are granted by the circuit judges; (2) grant writs of injunctions and *ne exa exeat*; (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits involving the custody of children.

(f) The judge shall be provided, at the expense of the county, with such office supplies, stationery, stamps, and other materials as may be necessary for the transaction of the business of the court.

(g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

Section 4. Sessions. (a) Sessions of the court shall be held at the county courthouse, and the court shall be open at all times for the transaction of business. A regular session shall be held at least once each month, at a time to be fixed by the judge, for the trial of criminal cases, and another regular session shall be held at least once each month, at a time to be fixed by the judge, for the trial of civil cases. Special sessions may be held at such times as the judge shall designate in orders spread upon the minutes. Sessions may continue so long as may be necessary for the court to complete its business.

(b) The sheriff shall attend the sessions of the court in person or by deputy and shall receive the same compensation therefor which he is now allowed for attending sessions of the inferior court of the county and of the circuit court. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

Section 5. Practice and Procedure. (a) The court shall have three divisions, namely, law, criminal and juvenile. Except as otherwise provided in this act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty days.

Section 6. Juries. The court shall not draw, organize, or empanel grand or petit juries. The Judge shall decide all issues of fact without the intervention of a jury.

Section 7. Costs. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs for the use of the officers of the court other than the judge, whose fees shall be paid to the county, as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars

(\$100.00), the same as in inferior courts; (2) in every other civil action at law, the same as in the circuit court; (3) in each criminal case involving an offense of which inferior courts established in lieu of justice of the peace courts have final jurisdiction, the same as in inferior courts; (4) in every other criminal case, the same as in county courts.

(c) A trial tax of one dollar (\$1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00). In every other civil action at law, and in every criminal case, a trial tax of three dollars (\$3.00) shall be collected for the use of the county.

(d) No costs shall be taxed in juvenile cases.

Section 8. Criminal Prosecutions. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the clerk, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) The county solicitor shall, without additional compensation, prosecute for the State all criminal cases commenced in such court. In the event the county solicitor is absent or disqualified, the judge shall appoint a special prosecutor, who shall be paid twenty-five dollars (\$25.00) for each day he is called upon to serve.

Section 9. Appeals. Any party aggrieved by judgment, order, or ruling of the court may appeal the decision as herein provided. (1) If the case is a civil case, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the Code of 1940. (2) If the case arises under the Court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the Code of 1940. (3) In every other criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code.

Section 10. Judgments. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. Clerk. (a) The Clerk of the Circuit Court of Butler County shall be ex officio clerk of the court herein established. He shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk to keep all the records, files, and documents of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgements and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; (3) to approve bonds in civ-

il and criminal cases; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of the circuit courts.

Section 12. Transfer of Pending cases. All cases and actions pending in the Inferior Court of Butler County, Alabama, on the effective date of this act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 13. Severability. The provisions of this act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 14. Repealer. All laws in conflict with this act are repealed, and Act No. 27, H. 213, Regular Session 1951 (Acts 1951, p. 235), and all amendments thereof are hereby specifically repealed.

Section 15. Effective Date. This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA

BUTLER COUNTY

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, W. E. Hardin, who, being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the city of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of July 19, 26, Aug. 2 and 9, 1973.

W. E. HARDIN.

Sworn to and subscribed before me, this 9th day of August, 1973.

PAULINE B. FULTON,
Notary Public.

By Mr. Hardin (With Notice and Proof):

H. 2117. To amend Act No. 324, H. 872, Regular Session 1957 (Acts 1957, p. 429), which act provides an expense allowance for the County Solicitor of Butler County.

Local Legislation No. 1.

Notice and Proof H. 2117:

LEGAL NOTICE

STATE OF ALABAMA

COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

REGULAR SESSION
29th Day

3275

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 324, H. 872, Regular Session 1957 (Acts 1957, p. 429), which act provides an expense allowance for the County Solicitor of Butler County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 324, H. 872, Regular Session 1957 (Acts 1957, p. 429), is hereby amended to read as follows:

"Section 1. The court of county commissioners, board of revenue, or like governing body of Butler County is hereby authorized and directed to provide for the payment from the general fund of the county, and to pay from said fund to the County Solicitor of Butler County, the additional sum of one hundred dollars (\$100.00) per month to cover the expenses incurred by the County Solicitor in maintaining his office, and in the performance of his duties. Such expense in said amount shall be paid on requisitions signed by the County Solicitor."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BUTLER

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. E. Hardin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of THE GREENVILLE ADVOCATE, a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, 26, Aug. 2, and 9, 1973.

W. E. HARDIN.

Sworn to and subscribed before me August 9, 1973.

PAULINE B. FULTON,
Notary Public.

By Mr. Grey (D):

H. 2118. To amend Section 1 of Act No. 116, H. 98, Regular Session 1971 (Acts 1971, p. 395), an act relating to counties having populations of not less than 14,000 nor more than 15,000, fixing the fee for issuance of a pistol permit, so as to increase such fee.

Local Legislation No. 1.

By Mr. Casey:

H. 2119. Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; allowing the county commission to employ up to four additional deputy sheriffs.

Local Legislation No. 1.

By Mr. Timmons:

H. 2120. Relating to all counties having populations of 600,000 or more according to the most recent federal decennial census; providing for the conversion of certain time spent in the employment of a county but not as a member of the county's retirement system, into paid membership time in the retirement system for county employees and officers.

Local Legislation No. 2.

By Messrs. Flippo and Hill (With Notice and Proof):

H. 2121. Amending Section 1 of Act No. 791, H. 923, Regular Session (Acts 1969, p. 1421), relating to the sheriff's department of Lauderdale County, so as to remove the maximum number of deputies that can be hired.

Local Legislation No. 1.

Notice and Proof H. 2121:

**STATE OF ALABAMA
COUNTY OF LAUDERDALE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Amending Section 1 of Act No. 791, H. 923, Regular Session (Acts 1969, p. 1421), relating to the sheriff's department of Lauderdale County, so as to remove the maximum number of deputies that can be hired.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 791, H. 923, Regular Session (Acts 1969, p. 1421) is hereby amended to read as follows:

"Section 1. In lieu of the deputies and assistants heretofore authorized by law the sheriff of Lauderdale County shall appoint:

"(a) one chief deputy, and not less than eight deputies in addition to the chief deputy, the exact number of such deputies to be determined by the county governing body. The chief deputy shall receive not less than \$550 nor more than \$750 monthly and each other deputy shall receive not less than \$500 nor more than \$650 monthly;

"(b) one or more secretaries, at the discretion of the county governing body, who may be deputies but shall not be included in the number of depu-

ties authorized in subsection (a) above. Such secretary, or secretaries shall receive not less than \$400 nor more than \$500 monthly;

“(c) two or more jailers, at the discretion of the county governing body, who may be deputies, but shall not be included in the number of deputies authorized by subsection (a) above. Such jailers shall receive not less than \$500 nor more than \$600 monthly.

“The exact amount of compensation of each of such deputies, jailers and assistants shall be fixed by the county governing body and shall be paid out of the general fund of the county as the salaries of other county employees are paid.”

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

**A BILL
TO BE ENTITLED
AN ACT**

Amending Section 1 of Act No. 791, H. 923, Regular Session (Acts 1969, p. 1421), relating to the sheriff's department of Lauderdale County, so as to remove the maximum number of deputies that can be hired.

As published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 7, 14, 21, 28, 1973.

BILL J. HARRISON.

Sworn to before me this 28th., day of July 1973.

WALLACE E. OWEN, JR.,
Notary Public.

My Commission Expires December 13, 1976.

By Messrs. Connell and Crawford (With Notice and Proof) :

H. 2122. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, in Houston County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 2122:

LEGAL NOTICE

Notice is hereby given that the following local bill will be introduced at the current regular session of the Legislature of the State of Alabama.

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, in Houston County, Alabama.

Be It Enacted by the Legislature of Alabama.

Section 1. That the boundary lines and corporate limits of the City of Dothan, in Houston County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said city all of the following described territory:

Description: Sections: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32 less the incorporated limits of Taylor Alabama, 33, 34, 35, and 36, Township 3, Range 26 East; all in Houston County, Alabama.

Sections: 1, 2, 3, 4, 5, less the incorporated limits of Taylor Alabama, 8 less the incorporated limits of Taylor, Alabama, 9, 10, 11, and 12, Township 2 North, Range 26 East; all in Houston County Alabama.

Sections: 3, 4, 5, 6, 7, 8, 9 and 10. Township 2 North Range 27 East; all in Houston County, Alabama.

Sections: 3, 4, 5, 6, 7, 8, 9, 10, 15 in Houston County, Alabama.

16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33 and 34 Township 3 North Range 27 East; all in Houston County, Alabama.

Sections: 19, 30, 31, 32, 33, and 34, Township 4 North, Range 27 East; all in Houston County, Alabama.

Sections: 23, 24, 25, 26, 31, 32, 33, 34, 35 and 36 Township 4 North Range 26 East; all in Houston County, Alabama.

Sections: 12 less that part of Dale County, and 13, Township 3 North, Range 25 East; all in Houston County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall go into effect upon its passage and approval by the Governor.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of the Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a

REGULAR SESSION
29th Day

3279

week for four successive weeks, on the following dates: July 23, 30, August 6, 13, 1973, in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 13th day of August, 1973.

EUGENE McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 2123. To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session, approved August 20, 1965; Act No. 601, Regular Session, approved September 8, 1967; Act No. 59, Regular Session 1971, approved July 12, 1971.

Local Legislation No. 1.

Notice and Proof H. 2123:

Notice is hereby given that the following local bill will be introduced at the current regular session of the Legislature of the State of Alabama.

A BILL
TO BE ENTITLED
AN ACT

To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session, approved August 20, 1965; Act No. 601, Regular Session, approved September 8, 1967; Act No. 59, Regular Session 1971, approved July 12, 1971.

Be It Enacted by the Legislature of Alabama:

Act No. 103, H. 363, approved June 18, 1953 (Acts of Alabama 1953, pages 145-154) as subsequently amended, which provides for the establishment of a City of Dothan Pension and Retirement System, is hereby amended to read as follows:

SECTION 1. There is hereby established for the City of Dothan, hereinafter called the "City," a Pension and Retirement System, hereinafter called the "System," which shall exist and be maintained for the benefit of the persons hereinafter named, the funds for which shall be derived and raised in the manner hereinafter provided.

SECTION 2. MEMBERSHIP. The membership of the System shall be composed as follows:

(1) All persons who are employees and retired employees of the City of Dothan on the date of the enactment of this Act.

(2) All persons who become employees after the date of the enactment of this law, their becoming members to be a condition of their employment. Elected Officials, City Attorneys, the City Recorder, independent contractors, and temporary employees employed for less than ninety (90) days shall not be eligible for membership.

(3) Employees drafted or entering directly into the Armed Forces of the United States during a national emergency, provided such employee does not withdraw his contributions as provided in Section 4 (1), and provided such employee returns to the service of the City within one (1) year after having been honorably discharged from the Armed Forces, and such employee avails himself of the first opportunity for discharge or release from the service following the cessation of hostilities, which return to the service of the City during this period of one (1) year after such honorable discharge of release shall entitle such employee to credit for continuous service toward the attainment of conditions required for retirement or benefits.

SECTION 3. PENSION BOARD.

(1) There is hereby created a Pension Board who shall act as Trustees, and in whom is vested the general administration and management of the System, and the making effective the provisions of this Act. The members of the Pension Board, all of whom shall serve without compensation, shall consist of the Mayor and-or President of the Board of Commissioners of the City, Chairman of the City Board of Education, the City Attorney, the Treasurer of the City of Dothan, who shall be the "Treasurer of the System" and be bonded as required by the Pension Board, and an Employee-Department Head to be chosen by other Employee-Department Heads.

(2) The Mayor shall act at all times as Chairman of the Pension Board, and in his absence, the majority of the Board shall elect a Chairman to act in his stead. A majority of the Board shall constitute a quorum for the transaction of business, and any action taken shall be approved in writing by not less than three (3) of its members. The Pension Board shall hold such meetings as are necessary to transact its business, and in any event not less than one (1) meeting each three (3) months. The City Clerk shall act as Secretary of the Pension Board and shall give sufficient notice to its members of all meetings called by its chairman and shall keep a written minute record of all meetings, and shall attest all official written documents of the board, which shall be written into the official document records of the City Clerk's Office. All necessary accounting records shall be kept under the supervision of and in the office of the Clerk-Treasurer of the City, and the necessary clerical expense and supplies for keeping required records shall be deemed as an authorized expenditure from the general funds of the City Payments from funds shall be made by check drawn by the Clerk-Treasurer and countersigned by the Chairman, after having been authorized and directed by the Board as shown in the minutes.

(3) OATH OF OFFICE OF THE PENSION BOARD MEMBERS. All members of the Pension Board, as trustees for the System, within ten (10) days after his appointment or election, shall take an Oath of Office that he will diligently and honestly administer the affairs of the Pension Board and that he will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the System. Such oath shall be subscribed to by the members making same, certified by the official before whom it is taken, and immediately filed in the Office of Probate Judge of Houston County.

SECTION 4. THE METHOD OF FINANCING AND COMPOSITION OF FUNDS. All of the assets of the System shall be accounted for according to the purpose for which they are held among three (3) funds, namely, the Annuity Fund, the Pension Accumulation Fund and the Retirement Fund.

(1) The Annuity Fund shall be a fund in which shall be accumulated contributions from the compensation of members. Contributions to and payments from the Annuity Fund shall be made as follows:

(a) Six per cent (6) to be deducted from each member's pay on each and every payroll. Each member, as a condition of his or her employment, shall be deemed to consent and agree to the deduction provided for herein and the payment of such salary or compensation less such deductions shall be a complete and full discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to the benefit provided under this Act. The deductions herein provided for shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Each amount so deducted shall be paid into the Annuity Fund, and shall be credited to the individual account of the member from whose compensation and deduction was made.

(b) Membership in the System is canceled upon termination of employment, and upon such termination the amount of the deduction made from such employee's compensation shall be refunded out of the Annuity Fund on the following basis and conditions:

Members employed five years and less, all annuity payroll deductions, less ten per cent (10) of such deductions, which shall be deemed as payment to the System to cover the cost of protection afforded therein during the term of membership.

Members employed over five (5) years and less than ten (10) years, all annuity payroll deductions, less five per cent (5) of such deductions, which shall be deemed as payment to the System to cover the cost of protection afforded therein during the term of membership. Members employed ten (10) years and over, all annuity payroll deductions, less two and one-half per cent (2½) of such deductions, which shall be deemed as payment to the System to cover the cost of protection afforded therein during the term of membership.

Upon termination by death, all annuity payroll deductions shall be returned to the properly designated beneficiary of the member without any charge or deduction being made for protection as mentioned above.

(c) Upon the termination of employment and membership in the System, the amount deducted from the refund to such employee as provided in Sub-Section (b) above, shall be transferred into the Retirement Fund herein-after provided for.

(d) Upon the retirement of any employee-member of the System, the amount of the annuity funds accumulated or deposited to the credit of such retired employee, shall be transferred and credited to the individual account of the retired member in the Retirement Fund. All payments to such retired employee shall be charged to his individual account, so as to indicate from time to time the total amounts paid to such employee as benefits under the system.

(2) **PENSION ACCUMULATION FUND.** The Pension Accumulation Fund shall be a fund into which the City of Dothan shall deposit each month a sum equal to the payroll annuity deductions from employee-members' salaries.

(a) Upon the termination of employment and membership in the System, the amounts deposited into the Pension Accumulation Fund to the credit of such employee terminating employment and membership shall be transferred from the Pension Accumulation Fund into the Retirement Fund to be used for the payment of retirement benefits hereinafter provided for.

(b) Upon the retirement of any member as hereinafter provided for, the amounts deposited into the Pension Accumulation Fund to the credit of such retiring employee shall be transferred from the Pension Accumulation Fund into the Retirement Fund and credited to the individual account of the retired employee-member as provided in Section 4(1)(d) above, who shall receive benefits from the Retirement Funds as hereinafter provided. All payments to such retired employee shall be charged to his individual account, so as to indicate from time to time the total amounts paid to such employee as benefits under the System.

(3) **THE RETIREMENT FUND.** The Retirement Fund shall be a fund into which shall be deposited all funds transferred from the Annuity Fund and from the Pension Accumulation Fund as provided for in Sub-Sections (1) and (2) above of Section 4, from which retirement benefits are paid.

(a) In addition to transfers from the annuity and Pension Accumulation Funds, the Pension Board may take by gift, grant, devise or bequest, any money, personal property, real estate, or interest therein for the benefit of the fund.

(b) All amounts in excess of the amount protected by the Federal Depositors Insurance Corporation or similar plan by the Federal Government deposited in any bank or savings and loan association in any of the three (3) funds provided for herein shall be forthwith invested in bonds or securities which are direct obligations of the United States of America. All amounts deposited in any such bank or savings and loan association in excess of amounts required to pay monthly benefits shall be placed on deposit so as to draw interest. Interest and earnings from investments and deposits shall be deposited into the Retirement Fund.

(c) Every three (3) years the System shall be reviewed by a reputable actuary selected by the Pension Board. The Pension Board upon receipt of the report of such actuary shall make recommendations to the legislative delegation and City officials for any needed revisions.

SECTION 5. CREDITABLE SERVICE. For the purpose of attainment of the period of service required for retirement under the provisions of this Act the following conditions shall prevail and none other:

(1) All persons who are employees and retired employees of the City of Dothan on the date of the enactment of this Act and who were members of the Alabama Employees Retirement System, shall receive credit for all prior service evidenced by Alabama Employees Retirement System prior years certificates, and so long as membership continues, such prior service certificate shall be final and conclusive for retirement purposes as to such service credit.

ed prior to this Act, except that any such certificate found to be inaccurate as to actual prior service according to records in the City Clerk's Office may be amended by resolution of the governing body of the City with the concurrence of the Pension Board upon certification of the City Clerk as to the actual service prior to the City of Dothan's withdrawal from the Alabama Employees Retirement System any employee should have credit for.

(2) Employee-members drafted or intering directly into the Armed Forces of the United States and complying with Section 2, Sub-Section (3), will receive credit for continuous service.

(3) Creditable service at retirement, on which retirement allowances of a member shall be based, shall consist of the membership service rendered by him, since he last became a member, and also if he has a prior service certificate which is in full force and effect, the amount of the service certified on his prior service certificate.

(4) Anything in this Act to the contrary notwithstanding, any member having twenty (20) or more years of creditable service shall be eligible to continue in the membership of the System whether employed by the City or not until he files application for service retirement, at which time he shall be eligible for all benefits for full retirement as though all other conditions and requirements had been attained and fulfilled. Continuation of employment beyond twenty (20) years shall entitle such an employee's benefit to be computed on the basis of his total years service and his highest average annual salary for any previous consecutive five (5) years, and in accordance with the percentages as set out in Section 6, Paragraph 2.

SECTION 6. SERVICE RETIREMENT BENEFITS.

Section 6. Service Retirement Benefits (1) Any member in service may retire upon written application to the Pension Board setting forth at what time, not less than thirty (30) days nor more than ninety (90) days subsequent to the execution and filing thereof, he desires to be retired, provided said member at the time so specified for his retirement, shall have become disabled, attained the age, and-or served the period required under the provisions of this Act which said employee desires to be retired.

(2) FULL RETIREMENT. Any employee-member who shall have served or accumulated twenty (20) years of creditable service, shall be eligible for full retirement. Such employee may be retired upon proper application and for the rest of his life receive as a retirement allowance a sum payable from the Retirement Fund amounting to the sum of (a), (b), (c), and (d), as set out below:

(a) $2\frac{1}{2}$ per cent times the first twenty (20) years of creditable service times his highest average annual salary for any previous consecutive five (5) years, plus

(b) 2 per cent for each year of creditable service from 20 to 25 years times his highest average annual salary for any previous consecutive five (5) years, plus

(c) $1\frac{1}{2}\%$ for each year of creditable service from 25 to 30 years times his highest average annual salary for any previous consecutive five (5) years, plus (d) 1 per cent times all creditable service in excess of thirty (30) years

multiplied by his highest average annual salary for any previous consecutive five (5) years.

The above benefit is payable in monthly installments.

(3) Any employee-member who has attained the age of sixty (60) on his last birthday, and has served or accumulated a total of fifteen (15) years creditable service, may retire voluntarily for reasons of his own. Upon retirement under the provisions of this Section, such employee shall receive as a retirement allowance the rest of his life a sum payable from the retirement fund equal to $2\frac{1}{2}$ per cent times the number of years of creditable service multiplied by his highest average annual salary for any previous consecutive five (5) years, payable in monthly installments. Any employee-member who has reached the age of sixty-eight (68) and has accumulated at least ten (10) years creditable service shall be retired forthwith, and upon proper application shall receive for the rest of his life as a retirement allowance a sum payable from the Retirement Fund amounting to $2\frac{1}{2}$ per cent times the number of years of creditable service accumulated, multiplied by his highest average annual salary for any previous consecutive five (5) years multiplied by his highest average annual salary for any previous consecutive five (5) years, payable in monthly installments.

(4) Disability Retirement. Any employee-member who has served or accumulated as much as ten (10) years creditable service, may be retired on a disability retirement allowance, provided that a Medical Board, to be composed of the County Health Officer and two (2) other practicing medical doctors designated by the President of the Houston County Medical Association, after an examination of such employee, shall certify that such member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent and that such member should be retired. Upon retirement for disability such employee-member shall receive as a retirement allowance for the rest of his life, unless such amount shall be modified or changed by proper action as hereinafter provided for, a sum payable from the Retirement Fund amounting to fifty per cent (50) of his highest average annual salary or any multiplied by the number of years creditable service limited to a maximum of twenty (20), and divided by twenty (20), payable in monthly installments.

(5) Any member who, as a result of his employment, in line of duty or while discharging his duties, or in the performance of his duties, or as a result of hazardous assignment, and not the result of his own misconduct, shall become permanently and totally disabled to the extent that he cannot perform properly his former duties of employment or duties of a less strenuous nature, as an employee of the City of Dothan, shall be retired, which action shall be initiated by the head of his department, and shall receive the same retirement allowance as if he had served as an employee for twenty (20) years and become totally disabled as provided in Section 6(4) hereof. Provided, however, that such retired member shall submit to medical examinations hereinafter required. In the event an employee retired under this section shall be found mentally and physically capable of performing duties of a less strenuous nature, then such employee may, upon the concurrence of the Pension Board and the Governing Body, be employed in such capacity at the prevailing salary or such work as is provided by the City of Dothan Civil Service System. Upon the return to employment from retirement under his section, the period of retirement together with all prior services shall be credited to such employee, in the ultimate attainment of full retirement or such portion thereof as

may be earned under the provisions of this Act. Any such employee who returns to work or continues his employment in work of a less strenuous nature at a reduced rate of pay may be ultimately retired on the basis of his highest five (5) years average salary, provided he shall, while employed at such reduced rate of pay, continue to pay to the System by payroll deductions six per cent (6) of his highest consecutive five (5) years of average salary. The City's contribution to the Retirement Fund shall be at the same rate of six per cent (6).

(6) RE-EXAMINATION OF MEMBERS RETIRED ON THE ACCOUNT OF DISABILITY.

(a) Once each year during the first five (5) years following the retirement of a member on a disability allowance and once in every three (3) year period thereafter, the Pension Board may, and upon his application shall, require any member so retired who has not yet attained the age of sixty (60), to undergo a medical examination, such examination to be made at the place of residence of such members, or other place mutually agreed upon by a physician or physicians of, or designated by the Medical Board. Should any member drawing disability retirement allowance who has not attained the age of sixty (60) refuse to submit to such medical examination, his allowance will be discontinued until such member submits to an examination, and should his refusal continue for one (1) year, all his right in and to his pension may be revoked by the Pension Board. Should the Medical Board report and certify to the Pension Board that a member retired on disability is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation and should the Pension Board concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him, shall equal the amount of his highest average final compensation for the consecutive five (5) years of his or her employment with the City. Should his earning capacity be later changed, the amount of his pension may be further modified; provided, that the new pension shall not exceed the amount of the pension originally granted, nor an amount which, when added to the amount of his highest average final compensation for any previous consecutive five (5) years of his or her employment with the City.

(b) In no event will an employee who was a member of the System as of the date of this Amendment receive, upon retirement, an amount less than he would have received had the plan not been amended.

SECTION 7. DEATH OF RETIRED EMPLOYEE. In the event any retired employee dies before having received as retirement allowances, a sum equal to his annuity payroll deductions, and the like amount deposited to his credit by the City in the Pension Accumulation Fund, the balance of this sum shall be paid to his properly designated beneficiary in a lump sum payment.

SECTION 8. EXEMPTIONS. No portion of, or any of the funds or securities, either while held by the System or after distribution to employees as retirement allowances, shall be subject to, or exacted, on account of any taxes, nor be subject to garnishment, levy execution, attachment nor be subject to assignment or any process of collection of debts provided this shall not apply to assignments or debts to the System or to the City. No liability of the System for the return of contributions shall be subject to assignment and payment to personal representatives, except to properly designated

beneficiaries in case of death, and no liability of the System for return of contributions shall be subject to any process in connection with debts.

SECTION 9. PERPETUITY OF SYSTEM AND RELIEF OF MEMBERS ALREADY RETIRED.

(1) At any time there is an insufficient amount in the Retirement Fund from the sources herein provided for to meet the retirement obligations of the system, the City shall appropriate a sufficient amount of its revenue available for general purposes to meet such Retirement Fund obligations as they are due each month.

(2) For the purpose of additional relief and benefit to City employee-members already retired, effective upon the end of the first full calendar month following the passage and approval of this Act, the monthly benefits of all such retired employees shall be computed upon the basis of said Act No. 59, Regular Session, 1971. Approved July 12, 1971, and as amended by this Act.

(3) The additional relief and benefit provided in the preceding paragraph for such employees already retired and who retire hereafter as a cost of living increase shall be increased each year in the future by one and one-half per cent ($1\frac{1}{2}$) of the amount of the pension being received; such increase to become effective on the anniversary date of each employee's retirement following the effective date of this amendment.

SECTION 10. RETIRED EMPLOYEES WHO RETURN TO WORK. Retired employees who return to full time work as a City employee will be ineligible to receive benefits from the retirement fund while engaged in such full time work. Each such employee shall however be required to participate in the retirement system as required of a new employee specified in Section 2 hereof, and shall retain the full period of creditable service previously earned for retirement. Upon his application for retirement again, the period of time he retires again, the period of time he has last worked, if less than five years, shall be added to such highest consecutive average annual salary for a period of equal five years. If the amounts received, however, after returning to work after retirement, are less than before his first retirement, such employee, upon retiring again shall be allowed to receive monthly retirement benefits based upon his highest average annual salary for any consecutive five years.

SECTION 11. EXCESS RETIREMENT FUNDS AND PAYMENTS.

(1) All annuity payroll deductions and pension accumulation funds transferred to the Retirement Fund upon the retirement of any member shall be credited to such member's account and held in trust for no other purpose except for the payment of such member's retirement benefits or to such member's properly designated, beneficiary upon termination by death. Payments to such member shall be charged against his account, so as to reflect the unpaid balance.

(2) After the amounts accumulated for such retired member's credit in (1) above have been paid back to such member as benefits, continued benefits shall be paid out of funds accruing to the Retirement Fund under the provisions of Section 4 and payment of such continued benefits shall be contin-

ually charged to such retired member's account so as to reflect the amount paid in excess of credits provided for in (1) above.

SECTION 12. VOLUNTARY PARTICIPATION. All active employees of the City at the time this Act is approved who wish to continue as members of the Retirement System as herein provided shall signify their voluntary participation in writing to the Pension Board. The written document signifying such voluntary participation shall be certified to by the various department heads as being the signatures of the employees under his supervision and that he witnessed their signing such document, which shall be recorded in the records of the City Clerk's Office.

SECTION 13. CONFLICTING LAWS. All laws in conflict with this Act are hereby repealed to the extent of such conflict with this Act.

SECTION 14. EFFECTIVE DATE. This Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of the Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: July 24, 30; August 6, 13, 1973, in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 13th day of August, 1973.

EUGENE McCLINTIC,
Notary Public.

By Messrs. Hill and Flippo:

H. 2124. Relating to the eleventh judicial circuit; providing an expense allowance for the District Attorney of such circuit; providing for a county salary supplement for such District Attorney at the beginning of his next term of office.

Local Legislation No. 1.

By Messrs. Hill and Flippo:

H. 2125. Relating to counties having a population of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; providing a monthly expense allowance for the chairman and members of the county commission.

Local Legislation No. 1.

By Messrs. Hill and Flippo (With Notice and Proof):

H. 2126. Relating to Lauderdale County; setting the compensation of certain county officials.

Local Legislation No. 1.

Notice and Proof H. 2126:

Legal Notice

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; setting the compensation of certain county officials.

Be It Enacted by the Legislature of Alabama:

Section 1. The annual compensation of certain officials of Lauderdale County shall be as follows:

(A) Probate Judge	\$18,000
(B) Circuit Clerk	\$16,200
(C) Tax Assessor	\$15,000
(D) Tax Collector	\$15,000
(E) Circuit Court Register	\$13,000

Section 2. All other provisions of any Act providing for annual compensation of said officials are expressly repealed.

Section 3. The provisions of this Act shall become effective October 1, 1973.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: A BILL TO BE ENTITLED AN ACT Relating to Lauderdale County; setting the compensation of certain county officials. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: Section 1. The annual compensation of certain officials of Lauderdale County shall be as follows: (A) Probate

Judge . . . \$18,000, (B) Circuit Clerk . . . \$16,200, (C) Tax Assessor . . . \$15,000, (D) Tax Collector . . . \$15,000, as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 19, 26, August 2, 9, 1973.

BILL HARRISON.

Sworn to before me this 9th day of August 1973.

WALLACE E. OWEN, JR.,
Notary Public,
State at Large.

My Commission Expires December 13, 1976.

By Messrs. Flippo and Hill (With Notice and Proof):

H. 2127. To authorize the Lauderdale County Board of Education to set and establish sick leave and annual leave, and rules pertaining thereto for employees other than teachers so that said employees may, at the discretion of said County Board, participate in leave allowances the same as is provided teachers.

Local Legislation No. 1.

Notice and Proof H. 2127:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially a follow will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Lauderdale County Board of Education to set and establish sick leave and annual leave, and rules pertaining thereto for employees other than teachers so that said employees may, at the discretion of said County Board, participate in leave allowances the same as is provided teachers.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Board of Education is hereby authorized to establish such rules and regulations pertaining to sick leave and annual leave for employees, other than teachers, of the Board of Education in said County so that such employees shall enjoy the same leave allowances and privileges as teachers.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping hereby certify that the attached clipping is a true and correct copy of: STATE OF ALABAMA COUNTY OF LAUDERDALE A BILL TO BE ENTITLED AN ACT To authorize the Lauderdale County Board of Education to set and establish sick leave and annual leave, and rules pertaining thereto for employees other than teachers so that said employees may, at the discretion of said County Board, participate in leave, as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 7, 14, 21, 28, 1973.

BILL HARRISON.

Sworn to before me this 28th day of July, 1973.

WALLACE E. OWEN, JR.,
Notary Public,
State at Large.

My Commission Expires December 13, 1976.

By Messrs. Barron, Taylor, Hobbie and Harris:

H. 2128. Relating to all counties having a population of not less than 150,000 nor more than 180,000, according to the most recent federal decennial census; providing further for the salary of the sheriff.

Local Legislation No. 4.

By Mr. Warren:

H. 2129. Relating to counties having populations of not less than 15,625 nor more than 15,850 according to the most recent federal decennial census; providing foreign medical graduates an alternative method by which to become certified to practice medicine within such counties.

Local Legislation No. 1.

By Mr. Casey (With Notice and Proof):

H. 2130. Relating to Cleburne County; providing for the construction, maintenance and repair of public roads, highways and bridges under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads and bridges of Cleburne County.

Local Legislation No. 1.

Notice and Proof H. 2130:

STATE OF ALABAMA
COUNTY OF CLEBURNE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County; providing for the construction, maintenance and repair of public roads, highways and bridges under the county unit system; authorizing the requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads and bridges of Cleburne County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Cleburne County Commission, or any succeeding county governing body performing the functions of the county governing body in said county, shall employ a county engineer, who shall be a thoroughly qualified and competent civil engineer, possessing all of the qualifications as specified for county engineers under the general laws of the State of Alabama; and he shall devote his entire time and attention to the maintenance and construction of the Cleburne County public roads, highway and bridges, and shall, during his employment, reside in Cleburne County, Alabama.

Section 2. Said county engineer shall be appointed by the county commission from a nomination made by the state highway director. If said nomination is not acceptable to said county commission, the state highway director shall be requested to make additional nominations. Should the state highway director refuse, or fail to make nominations, the county commission may fill the position of county engineer with any person who has the qualifications herein set out.

Section 3. It shall be the duty of said engineer, (1) to employ, supervise and direct all such assistants as are necessary to properly maintain and construct the public roads, highways and bridges of Cleburne County, and he shall have authority to prescribe their duties, and to discharge said employees for cause, or when not needed; (2) to perform such engineering and surveying service as may be required, and to prepare and maintain the necessary maps and records; (3) to maintain the necessary accounting records to reflect the cost of the county highway system; (4) to build, or construct new roads, or change old roads, but only when ordered to do so by proper order of the county commission; (5) it shall be his further duty, in so far as is feasible, to construct and maintain all county roads on the basis of the county as a unit, without regard to any district or beat lines.

Section 4. The said county engineer is hereby designated as the person authorized to make written requisition upon the duly designated purchasing agency, for all articles, materials, supplies, and equipment necessary for the maintenance and construction of roads and bridges in Cleburne County.

Section 5. It shall be the duty of the county commission to fix, from time to time, in accordance with prevailing economic conditions, the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, highways and bridges, and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistants.

Section 6. The county commission shall fix the amount of the salary of the said county engineer, payable in equal monthly installments from the Cleburne County treasury.

Section 7. The county commission shall furnish the county engineer with an office at the courthouse, or elsewhere, at the county seat, and all necessary office supplies, and shall furnish him with necessary transportation in connection with his duties under this Act.

Section 8. The county engineer shall be the custodian of all road tools, machinery, supplies and equipment of Cleburne County, and he shall be accountable for the same, at all times. The county commission shall furnish the necessary storage facilities in which to keep said tools, machinery, supplies and equipment, and the county engineer shall keep on files in his office, at all times, an up-to-date inventory, containing a list of all said tools, machinery, equipment and supplies belonging to Cleburne County.

Section 9. The authority of said county engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repairs of public roads and bridges of Cleburne County as may be set aside and appropriated by the county commission, as hereinafter provided; it shall be the duty of said county commission at some meeting in September of each calendar year, or not later than the first meeting in October following, by order or resolution spread upon the minutes, to fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads and bridges of Cleburne County for the current fiscal year, beginning on October 1st, which said amount, other than the salary of said county engineer and his necessary expenses, shall not be exceeded by him in building, maintaining and constructing public roads and bridges in Cleburne County during said period; provided however, that said county commission is authorized, from time to time within any such period, to increase the amount so allowed to be expended by said county engineer during said period, when such authorization will not conflict with provisions of the general law under the Budget Act, Title 12, Section 74, of the Code of Alabama 1940. Provided further, that if such funds are presently available, and have not heretofore been set aside by the present County Commission of Cleburne County, immediately upon the passage of this Act, it shall be the duty of the county commission herein created to set aside a sufficient portion of said funds for the maintenance of said road and bridges until the annual budget is approved for the incoming year in October.

Section 10. The county engineer shall make written requisition to the chairman of the county commission for all materials, machinery, equipment, and necessary supplies needed for the construction, maintenance or repairs of public roads and bridges of Cleburne County. Said requisitions shall be filed and presented by the chairman to the county commission at its next meeting, for the approval of the county commission. Provided, however, that the chairman shall have full power and authority to make said purchase without first obtaining the approval of the whole county commission if the delay

caused by the hereinabove procedure, might, in his judgment, cause an unnecessary and harmful interruption in the operation of the county road system.

Section 11. It shall be the further duty of the county engineer to inspect all materials, machinery, equipment and supplies, purchased by Cleburne County Commission for use on public roads and bridges, when the same is delivered, and the same shall not be accepted and paid for without its first having been approved by him.

Section 12. In the event an emergency should arise, in which it would be impossible for the county commission to employ an engineer, as hereinabove provided for, then, in that event the county commission shall employ a competent road supervisor who need not be an engineer, but, when so employed, he shall have all the duties and authority of said engineer, and be subject to the provisions of this Act; but an emergency shall not exist so long as the state highway director can nominate an engineer who will accept employment by said county commission under the terms of this Act, it being the intention of this Act to provide that, when county roads are to be maintained or constructed in said county, the supervision thereof shall be either under a county engineer, as hereinabove provided for, or by a road supervisor, who is not a member of the county commission.

Section 13. It shall be the further duty of each associate member of the county commission to inspect the roads of his district from time to time, and hear the suggestions and complaints of the citizens, and report the same to the county commission with his recommendations; to advise with the county engineer concerning the problems of his district, particularly; and to assist in securing rights-of-ways, and assist in public relations generally.

Section 14. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This act shall become effective within 90 days upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, 26, May 3, and 10, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON,
Notary Public.

By Mr. Stubbs:

H. 2131. To increase the annual salary to the Tax Assessor, Tax Collector, Probate Judge, Judge of the Inferior Court, and the Circuit Clerk in each county having a population of not less than 37,000 nor more than 39,000 according to the most recent federal decennial census beginning October 1, 1973 for the Tax Assessor and Tax Collector and on the date of the beginning of the next term of office for the Probate Judge, Judge of the Inferior Court, and the Circuit Clerk.

Local Legislation No. 1.

By Mr. Stubbs:

H. 2132. To authorize the county governing body of each county having a population of not less than 37,000 and not more than 39,000 according to the most recent federal decennial census to adopt a resolution and thereby authorize all polling places to remain open between the hours of 8 a.m. and 7 p.m. at all state and local elections held within such counties.

Local Legislation No. 1.

By Mr. Stubbs (With Notice and Proof):

H. 2133. Relating to Shelby County; to amend Act No. 1886, Regular Session, 1971 (Acts 1971, p. 3071), providing for protection against forest fires and assessing the cost against forest lands so as to increase the assessment and to exempt from the assessment the first one hundred Sixty acre owned by any one owner.

Local Legislation No. 1.

Notice and Proof H. 2133:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF SHELBY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Shelby County; to amend Act No. 1886, Regular Session, 1971 (Acts 1971, p. 3071), providing for protection against forest fires and assessing the cost against forest lands so as to increase the assessment and to exempt from the assessment the first one hundred sixty acres owned by any one owner.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 1886, Regular Session, 1971 (Acts 1971, p. 3071), is hereby amended to read as follows:

"Section 2. (a) After the Shelby County Governing body has determined that such a need does exist in Shelby County, the county governing

body may, in the manner hereinafter specified, provide for a financial charge or tax to be paid by the owners of forest lands located in Shelby County for the use of the land for timber growing purposes amounting to the whole or any part of the cost of such fire protection program, but not in excess of ten cents per acre on each acre in excess of one hundred sixty acres owned by any one owner, provided such financial charge or tax is not greater than the benefit accruing to such forest lands due to the availability of such fire protection.

(b) "Forest lands" as used in this Act, shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands" as used in this Act, shall not include any lands primarily used for residential purposes nor shall it include any publicly owned lands."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mildred Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Assoc-Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

MILDRED WALLACE.

Sworn to and subscribed before me 14th day of August, 1973.

CONRAD M. FOWLER,
Probate Judge.

By Mr. Stubbs (With Notice and Proof):

H. 2134. Relating to the City of Montevallo, to provide for an election to permit the sale of alcoholic beverages in Montevallo within one mile of the University of Montevallo.

Local Legislation No. 1.

Notice and Proof H. 2134:

STATE OF ALABAMA COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Montevallo, to provide for an election to permit the sale of alcoholic beverages in Montevallo within one mile of the University of Montevallo.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the effective date of this act the mayor or chief executive officer of the City of Montevallo must call an election for the city to determine the sentiment of the people as to whether alcoholic beverages can be legally sold or distributed within one mile of the University of Montevallo. The election shall be held and the officers appointed to hold the same shall be appointed in the manner provided by law for holding other city elections, and the returns thereof shall be tabulated and the results certified as provided by law for the municipal elections. The election shall be held within not less than 30 days, nor more than 45 days, from the effective date of this act and notice thereof shall be given by the city clerk by publication once a week for at least three weeks before the date of said election, in a newspaper of general circulation in the city or, if there be none, by posting such notice at the city hall. Such notice shall apprise the voters of the city that an election will be held in such city to determine whether or not alcoholic beverages may be legally possessed, sold and distributed within one mile of the University of Montevallo. The cost of such election, including the costs of notice by publication shall be paid out of city funds. On the ballot to be used for such election the question shall be in the following form: "Do you favor the legal sale and distribution of alcoholic beverages within one mile of the University of Montevallo? Yes No" Only qualified voters shall vote in said election. If a majority of the electors voting in said election, vote "Yes" then the provisions of Section 2 shall apply. If a majority of the electors voting in said election vote "No" then the provisions of Section 2 shall not apply.

Section 2. It shall be lawful to sell alcoholic beverages within one mile of the boundary of the campus or grounds of any institution of higher learning located in the City of Montevallo, but not within 300 feet of the campus of the University of Montevallo. Provided that the provisions of this section shall apply only so long as the sale of intoxicating beverages in Shelby County is legal.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration, shall not affect the part which remains.

Section 5. This act shall take effect on the first day of the first month following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mildred Wallace, who, being by me first

duly sworn, deposes and says that during the times herein mentioned she was Assoc-Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 5, 12, and 19, all in the year 1973.

MILDRED WALLACE.

Sworn to and subscribed before me Aug. 8, 1973.

CONRAD M. FOWLER,
Probate Judge.

By Messrs. King, Grainger, Hale, Lutz and Hearn (With Notice and Proof):

H. 2135. Providing for the appointment, powers, compensation and duties of deputy registrars in Madison County; providing that the board of registrars shall pass upon all applications for registration; and to authorize county governing bodies to provide necessary funds and personnel to provide such service.

Local Legislation No. 4.

Notice and Proof H. 2135:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing for the appointment, powers, compensation and duties of deputy registrars in Madison County; providing that the board of registrars shall pass upon all applications for registration; and to authorize county governing bodies to provide necessary funds and personnel to provide such service.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall be interpreted and applied in a manner to fulfill the following purpose: that each citizen of Madison County may make application to register to vote at any time the county courthouse is open for business.

Section 2. There is hereby authorized the following position and duties. Such position may be filled by any qualified person now employed by the county or hired for this specific position, except that the merit system shall set the compensation in accordance with such merit system regulations.

Section 3. The Madison County Board of Registrars are authorized to meet the number of days now provided by law and to receive and pass on applications for registration submitted by deputy registrars. Members of board of registrars may not act as deputy registrars or receive compensation as deputy registrars.

DEPUTY REGISTRARS.

(1) The board of registrars is empowered to designate one or more deputy registrars who shall serve in such capacity as the board directs. Designation to serve as deputy registrar will be in writing and cover a specified period of time, not to exceed one year without redesignation. The instrument empowering deputy registrars shall be approved by a majority of each county board, and filed as a public record by each board of registrars.

(2) Each deputy registrar shall take the oath required of registrars.

(3) Deputy registrars shall be empowered to administer oaths and shall authenticate his acts with his personal signature and the words "Deputy Registrar". A circular seal with his name, the name of the county, and the words "Deputy Registrar" may be used for this purpose at the discretion of the appropriate board of registrars, provided such seal is not used as a substitute for the deputy registrars authenticating signature.

(4) Deputy registrars may take applications at the places and times in the county designated by the board of registrars.

(5) Applications to register to vote made before deputy registrars are not intended to substitute for a personal appearance before the board registrars. If the board of registrars can not determine the qualifications of an applicant from the application, then the applicant shall not be rejected for registration but shall be called before the board of registrars to make a determination of qualifications. The board of registrars must specify in writing on each application the reason for requiring the applicant to appear before it.

(6) Any person performing the duties of deputy registrar may be removed at any time with or without cause, by the board of registrars.

(7) The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

(8) This act shall be cumulative and shall not be construed to repeal any existing laws.

(9) This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

PROOF OF PUBLICATION**STATE OF ALABAMA
COUNTY OF MADISON**

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being my first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, July 30, August 6, and August 13, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me August 13, 1973.

OPAL H. DILWORTH,
Notary Public.

By Mr. Coshatt:

H. 2136. To provide that this act shall apply to each county of the State having a population of not less than 27,900 nor more than 33,500 according to the last or any subsequent federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restriction on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables; or to impose restrictions on the sale, or service of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama 1940, as now or hereafter amended.

Local Legislation No. 1.

By Mr. Coshatt:

H. 2137. Relating to counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to regulate and control the occupancy of any new or existing building or structure of enclosure where people reside, work, gather or otherwise congregate until the drinking water, plumbing, septic tanks and all pit toilets for the property have been approved by the Sanitarian of the county; to make it unlawful for any public utility, company, board, commission, corporation or individual to make available for use on such property electricity, water or other public service until a certificate of occupancy is issued by the Sanitarian of the county; to provide for appeal to the circuit court by the occupant; to owner of such property from the decision of the Sanitarian of the county; to provide that any violation of this act shall constitute a misdemeanor; and, to prescribe penalties.

Local Legislation No. 1.

By Messrs. Coshatt and Reid (R):

H. 2138. Relating to the thirtieth judicial circuit; providing for additional circuit court judge in such circuit.

Judiciary.

By Mr. Reed (T):

H. 2139. Providing for the salaries of the deputies, including chief deputies of counties having populations of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Hardin and Bassett:

H. 2140. To require the State Highway Department to participate in the salary of one assistant to the county engineer in any county having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census, upon application of the County Commission or other like governing body of such county in an amount equal to fifty percent (50%) of the annual salary of such assistant not to exceed five thousand dollars (\$5,000) per annum and to establish qualifications for such assistant to the county engineer.

Ways and Means.

By Messrs. Weeks, Wallace, Timmons, McNair, Boutwell, Erdreich, Adwell, Falkenburg, Hughes, McMillan, Meeks, Waggoner, Ellis and Doss:

H. 2141. To accord the elected officials of any city of the state having a population of two hundred fifty thousand or more, according to the last or subsequent federal census, the option to become members of the pension system established for employees of such city, their widows and children; to provide that the board of managers of trustees, or other board, or body, administering such pension system shall adopt rules and regulations according such elected officials the option to become members of such pension system, on the same terms and conditions, and with the same obligations and benefits, as apply to the employees of the city belonging to such system; and to provide that such board or body, administering such pension system, shall provide for rules stating the term and conditions on which any such official becoming a member of such pension system can acquire credit in the system for service as an elected official of the city prior to his becoming a member of the system, which terms and conditions shall be the same as those provided for city employees to secure credit in the system for their city service prior to their becoming members of the pension system.

Local Legislation No. 2.

By Messrs. Doss, Boles, Bowers, Boutwell, Hughes, Meeks, McNair, Erdreich, Gafford, Adwell, Dill, Weeks and Wallace:

H. 2142. To submit to the qualified electors of Alabama an amendment to the Constitution of said State providing that the Board of Health of Jefferson County, Alabama shall have the power to supplement the pension or benefit payable from, or out of, a pension system of which the Board of Health officers or employees are members, provided that such supplement is based upon an increase in the cost of living occurring since establishment of

REGULAR SESSION
29th Day

3301

the rate or amount of such pension, or benefit; and provided, further, that such power shall be subject to such limitations and restrictions as the Legislature may impose from time to time.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Robertson, Parker, Culver and Bank:

H. 2143. To authorize and provide for a commercial fisherman's helper for certain such fishermen; to provide for the issuance of permits to such helpers; to prescribe the fees for such permits; to provide for their collection and distribution; and to prescribe penalties for violations of this act.

Local Legislation No. 1.

By Messrs. Carter, Smith (K), Drake, St. John, McDonald, Cross, Crawford, Lang, Bank, Adams, Stewart, Kinsey and Cauthen:

H. 2144. To require each city and county board of education in this state to grant lunchroom workers and custodial employees in each public school in this state the same percentage raise as was granted to school teachers under the provisions of the Special Educational appropriation bill enacted at the 1973 Regular Session of the Legislature.

Ways and Means.

By Messrs. Adams and Brassell:

H. 2145. Relating to counties having a population of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; allowing the governing bodies to pay two additional deputies, two jailers, and a bookkeeper for the months of July and August of 1973.

Local Legislation No. 1.

By Messrs. Bank, Robertson, Parker, Coshatt, Lutz and King:

H. 2146. To provide for the mandatory annual blood testing for venereal disease of all persons residing in Alabama who are between a certain age; and to authorize the State Board of Health to implement the provisions of this Act, providing penalties for violation of the provisions of this Act.

Health.

By Messrs. Ellis, Doss, Boles, Hughes, Dill, Timmons, Wallace, McMillan, Erdreich, Falkenburg, Weeks, Boutwell, McNair, Meeks, Gafford and Bowers:

H. 2147. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 300,000 according to the most recent federal decennial census.

Local Legislation No. 2.

By Mr. Doss:

H. 2148. To provide that any city having a population of 300,000 or more according to the last or any subsequent federal census shall pay to the

Civic Center, provided for by Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, 20% of the proceeds of the occupational tax the city receives subsequent to the effective date of this Act, within thirty days from the date whereon the city receives such occupational tax.

Local Legislation No. 2.

By Messrs. Taylor, Jones (F) and Hobbie:

H. 2149. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the fifteenth judicial circuit.

Local Legislation No. 4.

By Mr. Edwards:

H. 2150. Relating to counties having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census, allowing the county governing bodies of such counties to pay one deputy sheriff from either the public highway and traffic funds or the general funds of such counties, a salary in an amount not to exceed \$500.00 per month payable to such deputy sheriffs, said salary additional to any other now payable.

Local Legislation No. 1.

By Mr. Grey (D):

H. 2151. To amend further Section 1 of Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), as amended, which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such funds, in certain counties classified on a population basis, so as to increase such fee.

Local Legislation No. 1.

By Messrs. McDonald and St. John:

H. 2152. To provide for the selection of a presiding judge in the Twenty Seventh Judicial Circuit.

Local Legislation No. 1.

By Mr. Coshatt (With Notice and Proof):

H. 2153. Relating to St. Clair County, to provide for the repeal of the property tax that is presently being levied and collected in St. Clair County for the construction and operation of hospitals and health facilities therein, and to set forth certain conditions for the repeal of said tax, including the providing for the holding of a referendum for the purpose of determining if this Act shall become effective.

Local Legislation No. 1.

Notice and Proof H. 2153:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County, to provide for the repeal of the property tax that is presently being levied and collected in St. Clair County for the construction and operation of hospitals and health facilities therein, and to set forth certain conditions for the repeal of said tax, including the providing for the holding of a referendum for the purpose of determining if this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. The property tax heretofore authorized, as provided for in the 76th amendment to the Constitution of Alabama proclaimed ratified December 21, 1949, and which is presently being collected for the purpose of construction and operation of hospitals and related health facilities in St. Clair County is hereby repealed and this tax shall cease to be levied and collected after which time the outstanding bonds of indebtedness (bonds issued prior to June 1, 1973) are liquidated or refinanced as provided for in the Act legalizing greyhound racing and wagering thereon. Accordingly, the repeal of this tax shall be subject to the legalization of greyhound racing and the wagering thereon in St. Clair County and shall also be subject to approval of electors of the County voting in a referendum as provided herein.

Section 2. The county governing body of St. Clair County shall call and provide for holding a referendum for the purpose of determining if this Act shall become effective. The referendum shall be held on the same date as the referendum on the Act to create the St. Clair County Racing Commission to regulate licensing and supervision of greyhound racing and wagering thereon. This election shall be advertised, held, conducted and the results thereof canvassed in the manner provided by law for advertising, holding, and canvassing county bond elections. The questions to be voted on shall be stated on the ballots or voting tabs substantially as follows:

"Do you favor the repeal of the hospital tax subject to the provisions of Act No. _____, approved _____, 1973?"

If the majority of the votes cast in this referendum are "Yes" and if greyhound racing and the wagering thereon in St. Clair County becomes legal then the hospital tax is repealed as provided herein. If the majority of the votes cast in the election are "No" or if greyhound racing and the wagering thereon does not become legal in St. Clair County, then this Act shall have no further effect. The Probate Judge of St. Clair County shall certify the results of the referendum to the Secretary of State of Alabama within thirty (30) days after the election returns are canvassed.

Section 3. If any provision, paragraph or part of this Act shall be declared invalid, unconstitutional, or void, the balance of said Act shall remain in full force and effect.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Book-keeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, said notice having ap-

peared in the issues of said paper on July 19, July 26, August 2, and August 9, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me August 13, 1973.

ANNE T. MILAM,
Notary Public.

By Messrs. Taylor, Jones (F), Stewart and Hobbie:

H. 2154. To require the Board of Corrections to provide for the instruction of certain personnel and employees of the board in the recognition of symptoms of drug addiction or use, and drug related illnesses.

Public Welfare.

By Mr. Timmons:

H. 2155. To further amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

Local Legislation No. 2.

By Mr. Taylor:

H. 2156. To amend Section 1 of Act No. 2280, S. 428, Regular Session 1971 (Acts 1971, p. 3671), which provides for the composition of the personnel board of counties with a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal census, so as to further provide for the composition of such board.

Local Legislation No. 4.

By Mr. May (With Notice and Proof):

H. 2157. Relating to Escambia County; dividing Escambia County into two districts for the purpose of electing associate members to the Escambia County Commission; providing for the election of two commissioners for each district and fixing their qualifications and term of office; providing for the manner of electing such commissioners subject to the approval of the electors of the county voting in a referendum thereon.

Local Legislation No. 1.

Notice and Proof H. 2157:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Escambia County; dividing Escambia County into two districts for the purpose of electing associate members to the Escambia County

Commission; providing for the election of two commissioners for each district and fixing their qualifications and term of office; providing for the manner of electing such commissioners subject to the approval of the electors of the county voting in a referendum thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purpose of electing associate members of the Escambia County Commission, Escambia County is hereby divided into two geographical districts as follows:

Escambia County Commission District No. 1

District No. 1 shall be composed of all that part of Escambia County lying within a line described as follows:

Beginning at the Southeast Corner of Escambia County; Running thence West along the Alabama-Florida State Line to the point where Little Escambia Creek crosses the South line of Section 32, T-1-N, R-9-E; Thence Northwesterly up Little Escambia Creek to the point where it crosses the West line of Section 30, T-1-N, R-9-E; Thence North along the Section lines to the NW Corner of Section 6, T-1-N, R-9-E; Thence East along the Section lines to the SW Corner of Section 35, T-2-N, R-9-E; Thence North along the Section Lines of the SW Corner of Section 35, T-3-N, R-9-E; Thence West along the Section lines to the SW corner of Section 34, T-3-N, R-8-E; Thence North along the Section lines to the NW Corner of Section 3, T-3-N, R-8-E; Thence North along the Section lines to the NW Corner of Section 3, T-3-N, R-8-E on the Escambia-Conecuh County line; Thence East along said County line to the point where the Sepulga River crosses the North line of Section 4, T-3-N, R-13-E; Thence down the Sepulga River to its confluence with the Conecuh River; Thence up the Conecuh River to the point where it crosses the East line of Section 25, T-3-N, R-13-E on the Escambia-Covington County line; Thence South along said County line to the SE Corner of Section 36, T-1-N, R-13-E; Thence East to the NE Corner of fractional Section 24, T-6-N, R-25-W; Thence South to the point of beginning.

Escambia County Commission District No. 2

District No. 2 shall be composed of all that part of Escambia County lying within a line described as follows:

Beginning at the point where Little Escambia Creek crosses the South line of Section 32, T-1-N, R-9-E on the Alabama-Florida State line; running Thence West along said State line to the SW Corner of Section 31, T-1-N, R-5-E on the Escambia-Baldwin County line; Thence North along said County line to the point where Little River crosses the West line of Section 7, T-3-N, R-5-E; Thence easterly along Little River to the point where it crosses the North line of Section 5, T-3-N, R-6-E on the Escambia-Monroe County line; thence East along said County line to the NE Corner of section 4 T-3-N, R-8-E; Thence South along the Section lines to the NW Corner of Section 3, T-2-N, R-8-E; Thence East along the Section lines to the NE Corner of Section 3, T-2-N, R-9-E; Thence South along the Section lines to the SE Corner of Section 34, T-2-N, R-9-E; Thence West along the Section lines to the NE Corner of Section 1, T-1-N, R-8-E; Thence South along the Section lines to the point where Little Escambia Creek crosses the East line of Section 25, T-1-N, R-8-E; Thence down Little Escambia Creek to the point of beginning.

Section 2. Subject to the approval of the voters of the county at a referendum, hereinafter provided for, successors to the present associate members of the commission whose terms expire in January 1975, shall be elected and the general election to be held in November 1974, and each four years thereafter. One of such members shall be elected by the qualified electors of the county who reside in District No. 1 and one of such members shall be elected by the qualified electors of the county who reside in District No. 2, as such districts are defined in Section 1 of this act.

Successors to the present associate members whose terms expire in January 1977, shall be elected at the general election to be held in November 1976, and each four years thereafter. One of such members shall be elected by the qualified electors of the county who reside in District No. 1 and one of such members shall be elected by the qualified electors of the county who reside in District No. 2, as such districts are defined in Section 1 of this act.

Each candidate for associate member of the Escambia County Commission shall reside in the district he seeks to represent at the time of the election and during his term of office. Upon their election and qualification, such commissioners shall hold office for terms of office of four years each from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified.

Section 3. Nothing in this act shall be deemed to affect the powers, duties and functions of the commission as now or hereafter provided by law and said commission may appoint one chief clerk and fix his salary, which shall be paid by the county, and may appoint one chief clerk and fix his salary, which shall be paid by the county, and may appoint such clerical assistants as may be necessary.

Section 4. The substantive provisions of Section 2 of this act shall become operative and effective only if approved by a majority of the qualified electors of Escambia County who vote thereon at a referendum election called for such purpose and at which the question shall be submitted. The disapproval of the question shall render the provisions of Section 2 of this act inoperative and of no effect but shall affect the division of the county into commissioners districts as provided in Section 1 of this act. The referendum election shall be held and conducted as nearly as may be in the same manner as elections on amendments to the Constitution and shall be held on the same day as the first county wide general or special election in the county next following final passage of this act. If no such election is held in Escambia County prior to January 15, 1974, a special election shall be called and held on that date. Notice of the election shall be given by the judge of probate of the county, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows:

"Do you favor the election of Escambia County Commissioners as provided by Act No. _____ of the Legislature, approved the _____ day of _____ 1973, which provides for their election by voters of the districts they represent? Yes () or No ()."

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or part of laws which conflict with this act are repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Morrisette, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, 26, August 2, and 9, all in the year 1973.

E. R. MORRISSETTE, JR.

Sworn to and subscribed before me Aug. 9, 1973.

MOLLY A. NORRIS,
Notary Public.

My Commission Expires Jan. 21, 1975.

By Messrs. Pruitt and Manley (With Notice and Proof):

H. 2158. Relating to Sumter County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 2158:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Sumter County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David T. Poynor, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Home-Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 18th and 25th of July and 1st and 8th of August, all in the year 1973.

DAVID T. POYNOR, JR.,

Sworn to and subscribed before me August 10, 1973.

IRA D. PRUITT,
Notary Public.

By Messrs. Pruitt and Manley (With Notice and Proof):

H. 2159. To enlarge the corporate limits of the town of Cuba, Alabama, located in Sumter County.

Local Legislation No. 1.

Notice and Proof H. 2159:

STATE OF ALABAMA COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To enlarge the corporate limits of the town of Cuba, Alabama, located in Sumter County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Cuba in Sumter County are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within such corporate limits of the town, certain land lying and being in Sumter County and more particularly described as follows:

From the Southeast corner of the Northeast Quarter of Section 27, run North along the East line of said Northeast Quarter of Section 27 to the Northeast corner of Section 27, which point is also the Southwest corner of

REGULAR SESSION
29th Day

3309

Section 23; thence East along the South line of Section 23 to the Southeast corner of the West Half of Section 23; thence North along the East line of the West Half of Section 23 and the East line of the West Half of Section 14 to the Northeast corner of the West Half of Section 14; thence West along the North line of Section 14, the North line of Section 15, and the North line of the Northeast Quarter of Northeast Quarter of Section 16 to the Northwest corner of the East Half of East Half of Section 16; thence South along the West line of the East Half of East Half of Section 16, the West line of the East Half of East Half of Section 21, and the West line of the East Half of the Northeast Quarter of Section 28 to the Southwest corner of the East Half of Northeast Quarter of Section 28; thence East along the South line of the East Half of Northeast Quarter of Section 28 and the South line of the Northeast Quarter of Section 27 to the point of the beginning.

All of the above lands lie in Township 17 North, Range 4 West, Sumter County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David T. Poynor, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Home-Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 18th and 25th of July and 1st and 8th of August, all in the year 1973.

DAVID T. POYNOR, JR.

Sworn to and subscribed before me August 10th, 1973.

IRA D. PRUITT,
Notary Public.

By Messrs. Pruitt and Manley (With Notice and Proof):

H. 2160. Applicable to Sumter County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Sumter County.

Local Legislation No. 1.

Notice and Proof H. 2160:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Applicable to Sumter County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Sumter County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any foreign medical graduate residing within this state and wishing to practice medicine as a licensed physician in Sumter County, who has met all other requirements with the exception of the Educational Counsel for Foreign Medical Graduates (ECFMG), now required by the State Board of Medical Examiners, shall have two alternate means by which to obtain a certificate. Such means shall be as follows:

(a) Said graduate may apply for and take the Federation Licensing Examination (FLEX), sponsored by the Federation of State Medical Boards of the United States. Upon making such application to the State Board of Medical Examiners, the said State Board of Medical Examiners must grant the application to said applicant. If the graduate scores a grade consistent with the requirements of the Licensing Board of the Federation of State Medical Boards of the United States, then he must be licensed to practice medicine in this state.

(b) Said graduates may take the test known as the Educational Counsel for Foreign Medical Graduates (ECFMG), and if a passing score is achieved, then he must be allowed to take the Federation Licensing Examination as provided in subsection (a) above.

No rules or regulations promulgated by the state Medical Association or any of its subdivisions shall prevent such foreign graduates from selecting the above stated alternative he deems to be in his best interest.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David T. Poynor, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Home-Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4th, 11th, 18th and 25th of July, all in the year 1973.

DAVID T. POYNOR, JR.

Sworn to and subscribed before me August 10, 1973.

IRA D. PRUITT,
Notary Public.

By Mr. Hobbie:

H. 2161. To amend Section 1 of Act No. 184, S. 123, 3rd Special Session 1971 (Acts 1971, p. 4445) which provides for staff assistants for the Commissioner of Public Works and for the Commissioner of Public Affairs, in certain cities classified on a population basis, so as to prescribe their compensation.

Local Legislation No. 4.

By Messrs. Agee and McCorquodale:

H. 2162. Relating to counties having populations of not less than 16,000 nor more than 16,520 according to the most recent federal decennial census, providing an additional expense allowance for the chairman and members of the governing bodies of such counties.

Local Legislation No. 1.

By Messrs. Grainger, King, Lutz, Hearn and Hale:

H. 2163. Appropriating \$125,000 per year for the next two years for the Institute for Occupational Health and Safety at Huntsville for operation and maintenance of such institution.

Ways and Means.

RESOLUTIONS

The following resolutions introduced on the twenty-eighth legislative day were read by title, pursuant to Joint Rule 12:

H. J. R. 183. COMMENDING COLBERT COUNTY HIGH SCHOOL ON ITS OUTSTANDING SPORTS RECORD.

H. J. R. 187. HONORING FRANK PARK SAMFORD ON HIS EIGHTIETH BIRTHDAY.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

BILLS ON THIRD READING

And the bill:

S. 259. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

Was taken up.

S. 259 POSTPONED

On motion of Mr. Manley, the bill, S. 259, was indefinitely postponed.

And the bill:

S. 312. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, mainte-

nance, operation, and fostering of off-street automobile parking facilities in the City of Fairhope; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

Was taken up.

S. 312 POSTPONED

On motion of Mr. Kinsey, the bill, S. 312, was postponed to the thirtieth legislative day.

And the bill:

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

Was taken up.

Mr. Lutz offered the following amendment to the bill:

Amend HB 1522 by amending Section 4 to read as follows:

Section 4. If a defendant in a civil case demands a trial by jury such case shall immediately be transferred to the Circuit Court, and the costs in the General Sessions Court shall be taxed as a part of the costs in the Circuit Court, provided, however, that such demand in order to be effective for the purposes of this Act must be made upon the defendant's initial appearance in court.

Further amend HB 1522 by striking from Section 8(a) the words "and district attorneys."

Further amend HB 1522 by amending Section 3 to read as follows:

Section 3. The General Sessions Court shall not be a court of record, except for the limited purpose of taking pleas of guilty in non capital felony cases, but said court shall have a seal of office. The court shall not draw or impanel juries. If a defendant charged with a misdemeanor in the Madison County Court demands a jury trial the cause shall immediately be transferred to the Circuit Court and the costs in the General Sessions Court shall be taxed as part of the costs in the Circuit Court, provided, however, that such a demand for a jury trial must be entered before pleading to the charge.

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell

Agee
Bank
Barkett

Barron
Bassett
Benton

Boles
Boutwell
Bowers

REGULAR SESSION
29th Day

3313

Brassell	Falkenburg	McCorquodale	St. John
Burgess	Fite	McDonald	Slate
Callahan	Flippo	McMillan	Smith (K)
Carnes	Gafford	McNair	Smith (P)
Carter	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Naramore	Therrell
Cottingham	Harris	Nettles	Timmons
Crawford	Headley	O'Daniel	Turner
Cross	Hearn	Owens	Turnham
Crowe	Hill	Parker	Waggoner
Culver	Hughes	Perloff	Waldrop
Dill	Jackson	Porter	Wallace
Downing	Jones (F)	Pruitt	Warren
Drake	King	Reed (T)	Weeks
Easters	Kinsey	Reid (R)	Williams
Edwards	Lang	Reynolds	Wise
Ellis	Lutz	Roberts	Wood
Erdreich	McCluskey	Robertson	Wynot

—100

And the bill, H. 1522 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1684. To alter the boundary lines of the City of Huntsville, Madi-

son County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Was taken up.

Mr. Lutz offered the following amendment to the bill:

Amend H. B. 1684 by adding the following Sections 2 and 3 and renumbering following sections:

"Section 2. Notwithstanding the other provisions hereof the parent or legal guardian of any child residing within the area described in Section 1 hereof shall have the absolute right, for the 1973-1974 and 1974-1975 school years, to elect to send such child to the school in the Madison County System which said child would have attended had this Act not become law or to such school as to which said child may be assigned within the Huntsville City School System.

Section 3. The provisions of this Act are severable, and if any part hereof is declared invalid or unconstitutional such declaration shall not affect the remaining parts hereof."

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Gray (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill, H. 1684 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

REGULAR SESSION
29th Day

3315

Brassell	Falkenburg	McCorquodale	St. John
Burgess	Fite	McDonald	Slate
Callahan	Flippo	McMillan	Smith (K)
Carnes	Gafford	McNair	Smith (P)
Carter	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Naramore	Therrell
Cottingham	Harris	Nettles	Timmons
Crawford	Headley	O'Daniel	Turner
Cross	Hearn	Owens	Turnham
Crowe	Hill	Parker	Waggoner
Culver	Hughes	Perloff	Waldrop
Dill	Jackson	Porter	Wallace
Downing	Jones (F)	Pruitt	Warren
Drake	King	Reed (T)	Weeks
Easters	Kinsey	Reid (R)	Williams
Edwards	Lang	Reynolds	Wise
Ellis	Lutz	Roberts	Wood
Erdreich	McCluskey	Robertson	Wynot

—100

And the bill:

H. 1371. To provide an additional expense allowance for the chairman and members of the County Commission of all counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

Was taken up.

Mr. Edwards offered the following amendment to the bill:

Amend Section 1 of House Bill 1371 by striking the figure "\$200" and inserting in lieu thereof the figure "\$150".

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Falkenburg	King
Adams	Chesnut	Fite	Kinsey
Adwell	Collins	Flippo	Lang
Agee	Connell	Gafford	Lutz
Bank	Coshatt	Goodwin	McCluskey
Barkett	Cottingham	Grainger	McCorquodale
Barron	Crawford	Gray (F)	McDonald
Bassett	Cross	Grey (D)	McMillan
Benton	Crowe	Hale	McNair
Boles	Culver	Hardin	Manley
Boutwell	Dill	Harris	Mathews
Bowers	Downing	Headley	May
Brassell	Drake	Hearn	Meeks
Burgess	Easters	Hill	Merrill
Callahan	Edwards	Hughes	Naramore
Carnes	Ellis	Jackson	Nettles
Carter	Erdreich	Jones (F)	O'Daniel

29th Day

Owens	Roberts	Stokes	Waldrop
Parker	Robertson	Stubbs	Wallace
Perloff	St. John	Taylor	Warren
Porter	Slate	Therrell	Weeks
Pruitt	Smith (K)	Timmons	Williams
Reed (T)	Smith (P)	Turner	Wise
Reid (R)	Snell	Turnham	Wood
Reynolds	Stewart	Waggoner	Wynot

—100

And the bill, H. 1371 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonaid	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 400. Relating to Morgan County; to declare the public policy of the State with respect to the violation of Section 420, Title 14, Code of Alabama 1940, as Amended; to determine and declare that the criminal penalties and the remedy at law are inadequate to prevent violation of said statutes; to declare that habitual violation of said statutes constitutes a legal nuisance; to provide certain further exemptions; to prevent unfair competition among merchants through violations of said statutes; and to provide for the enforcement by injunction from a court in equity of the provisions within Morgan County.

Was taken up.

Mr. Cauthen offered the following substitute to the bill:

REGULAR SESSION
29th Day

3317

A BILL
TO BE ENTITLED
AN ACT

Relating to Morgan County; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall be applicable within Morgan County, Alabama.

Section 2. Declaration of Policy. It is recognized that the maintenance of public health is of vital importance to the general welfare of the State of Alabama and of its people, and it is further recognized that the preservation of an opportunity for rest and relaxation is vital to the maintenance of public health. For the protection of the public health and general welfare, it has been deemed essential that one day be set aside each week as a day of rest and relaxation and this can best be accomplished and the enforcement thereof can best be policed by setting aside Sunday as a day to be observed, generally, for rest and relaxation; it is further recognized, however, that, for public convenience and necessity, certain activities are promotive of rest and relaxation, and are otherwise desirable for the general convenience of the citizens of this County.

Section 3. In furtherance of the health and welfare of the citizens of Morgan County, hereinafter the provisions of Sections 420, 421 and 422, Title 14, Code of Alabama 1940, shall not be applicable to said county. In lieu thereof, the governing body of the county or any incorporated municipality in this county may by resolution or ordinance adopt reasonable rules and regulations prohibiting certain activity within its jurisdiction on Sunday, and may provide penalties for the violation thereof.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Easters
Adams	Bowers	Coshatt	Edwards
Adwell	Brassell	Cottingham	Ellis
Agee	Burgess	Crawford	Erdreich
Bank	Callahan	Cross	Falkenburg
Barkett	Carnes	Crowe	Fite
Barron	Carter	Culver	Flippo
Bassett	Cauthen	Dill	Gafford
Benton	Chesnut	Downing	Goodwin
Boles	Collins	Drake	Grainger

Gray (F)	McCluskey	Perloff	Stubbs
Grey (D)	McCorquodale	Porter	Taylor
Hale	McDonald	Pruitt	Therrell
Hardin	McMillan	Reed (T)	Timmons
Harris	McNair	Reid (R)	Turner
Headley	Manley	Reynolds	Turnham
Hearn	Mathews	Roberts	Waggoner
Hill	May	Robertson	Waldrop
Hughes	Meeks	St. John	Wallace
Jackson	Merrill	Slate	Warren
Jones (F)	Naramore	Smith (K)	Weeks
King	Nettles	Smith (P)	Williams
Kinsey	O'Daniel	Snell	Wise
Lang	Owens	Stewart	Wood
Lutz	Parker	Stokes	Wynot

—100

And the bill, S. 400, as thus amended, was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
29th Day

3319

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1852. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Callahan	Downing	Hale
Adams	Carnes	Drake	Hardin
Adwell	Carter	Easters	Harris
Agee	Cauthen	Edwards	Headley
Bank	Chesnut	Ellis	Hearn
Barkett	Collins	Erdreich	Hill
Barron	Connell	Falkenburg	Hughes
Bassett	Coshatt	Fite	Jackson
Benton	Cottingham	Flippo	Jones (F)
Boles	Crawford	Gafford	King
Boutwell	Cross	Goodwin	Kinsey
Bowers	Crowe	Grainger	Lang
Brassell	Culver	Gray (F)	Lutz
Burgess	Dill	Grey (D)	McCluskey

McCorquodale	O'Daniel	St. John	Turner
McDonald	Owens	Slate	Turnham
McMillan	Parker	Smith (K)	Waggoner
McNair	Perloff	Smith (P)	Waldrop
Manley	Porter	Snell	Wallace
Mathews	Pruitt	Stewart	Warren
May	Reed (T)	Stokes	Weeks
Meeks	Reid (R)	Stubbs	Williams
Merrill	Reynolds	Taylor	Wise
Naramore	Roberts	Therrell	Wood
Nettles	Robertson	Timmons	Wynot

—100

And the bill:

H. 1824. To amend Sections 5.01, 5.02, and 5.10 of Act No. 452 of the 1955 Regular Session of the Legislature of Alabama (Acts of Alabama 1955, page 1004, et seq.), entitled, as amended: "To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 300,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Coshatt
Adams	Benton	Carnes	Cottingham
Adwell	Boles	Carter	Crawford
Agee	Boutwell	Cauthen	Cross
Bank	Bowers	Chesnut	Crowe
Barkett	Brassell	Collins	Culver
Barron	Burgess	Connell	Dill

REGULAR SESSION
29th Day

3321

Downing	Hearn	Merrill	Snell
Drake	Hill	Naramore	Stewart
Easters	Hughes	Nettles	Stokes
Edwards	Jackson	O'Daniel	Stubbs
Ellis	Jones (F)	Owens	Taylor
Erdreich	King	Parker	Therrell
Falkenburg	Kinsey	Perloff	Timmons
Fite	Lang	Porter	Turner
Flippo	Lutz	Pruitt	Turnham
Gafford	McCluskey	Reed (T)	Waggoner
Goodwin	McCorquodale	Reid (R)	Waldrop
Grainger	McDonald	Reynolds	Wallace
Gray (F)	McMillan	Roberts	Warren
Grey (D)	McNair	Robertson	Weeks
Hale	Manley	St. John	Williams
Hardin	Mathews	Slate	Wise
Harris	May	Smith (K)	Wood
Headley	Meeks	Smith (P)	Wynot

—100

And the bill:

H. 1868. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction of otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Connell	Gray (F)	Manley
Adams	Coshatt	Grey (D)	Mathews
Adwell	Cottingham	Hale	May
Agee	Crawford	Hardin	Meeks
Bank	Cross	Harris	Merrill
Barkett	Crowe	Headley	Naramore
Barron	Culver	Hearn	Nettles
Bassett	Dill	Hill	O'Daniel
Benton	Downing	Hughes	Owens
Boles	Drake	Jackson	Parker
Boutwell	Easters	Jones (F)	Perloff
Bowers	Edwards	King	Porter
Brassell	Ellis	Kinsey	Pruitt
Burgess	Erdreich	Lang	Reed (T)
Callahan	Falkenburg	Lutz	Reid (R)
Carnes	Fite	McCluskey	Reynolds
Carter	Flippo	McCorquodale	Roberts
Cauthen	Gafford	McDonald	Robertson
Chesnut	Goodwin	McMillan	St. John
Collins	Grainger	McNair	Slate

29th Day

Smith (K)	Stubbs	Turnham	Weeks
Smith (P)	Taylor	Waggoner	Williams
Snell	Therrell	Waldrop	Wise
Stewart	Timmons	Wallace	Wood
Stokes	Turner	Warren	Wynot

—100

And the bill:

H. 1883. Relating to counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census; to provide that all members of the public school boards of education in such counties be required to reside within the area over which the particular school system has jurisdiction and to provide that where the board members are elected they shall be elected only by voters residing within that school district.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Gray (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1886. To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy District Attorney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
29th Day

3323

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 468. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect the ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the power to levy and collect each year an additional tax of three-fourths of one per centum based upon the value of the property therein as fixed for state taxation, and the further power to increase in the future the rate at which ad valorem taxes are levied provided that any increase is first approved by an act of the Legislature and by a majority vote of the qualified electors in the City of Mountain Brook.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Easters
Adams	Bowers	Coshatt	Edwards
Adwell	Brassell	Cottingham	Ellis
Agee	Burgess	Crawford	Erdreich
Bank	Callahan	Cross	Falkenburg
Barkett	Carnes	Crowe	Fite
Barron	Carter	Culver	Flippo
Bassett	Cauthen	Dill	Gafford
Benton	Chesnut	Downing	Goodwin
Boles	Collins	Drake	Grainger

Gray (F)	McCluskey	Perloff	Stubbs
Grey (D)	McCorquodale	Porter	Taylor
Hale	McDonald	Pruitt	Therrell
Hardin	McMillan	Reed (T)	Timmons
Harris	McNair	Reid (R)	Turner
Headley	Manley	Reynolds	Turnham
Hearn	Mathews	Roberts	Waggoner
Hill	May	Robertson	Waldrop
Hughes	Meeks	St. John	Wallace
Jackson	Merrill	Slate	Warren
Jones (F)	Naramore	Smith (K)	Weeks
King	Nettles	Smith (P)	Williams
Kinsey	O'Daniel	Snell	Wise
Lang	Owens	Stewart	Wood
Lutz	Parker	Stokes	Wynot

—100

And the bill:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

REGULAR SESSION
29th Day

3325

H. 411. (With Amendment): To fix the salary of the Tax Assessor of Mobile County and to regulate the payment thereof.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend H. B. 411 by changing the words and figures \$22,500.00 wherever they may appear therein to the words and figures \$19,950.00.

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill, H. 411 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Easters
Adams	Bowers	Coshatt	Edwards
Adwell	Brassell	Cottingham	Ellis
Agee	Burgess	Crawford	Erdreich
Bank	Callahan	Cross	Falkenburg
Barkett	Carnes	Crowe	Fite
Barron	Carter	Culver	Flippo
Bassett	Cauthen	Dill	Gafford
Benton	Chesnut	Downing	Goodwin
Boles	Collins	Drake	Grainger

Gray (F)	McCluskey	Perloff	Stubbs
Grey (D)	McCorquodale	Porter	Taylor
Hale	McDonald	Pruitt	Therrell
Hardin	McMillan	Reed (T)	Timmons
Harris	McNair	Reid (R)	Turner
Headley	Manley	Reynolds	Turnham
Hearn	Mathews	Roberts	Waggoner
Hill	May	Robertson	Waldrop
Hughes	Meeks	St. John	Wallace
Jackson	Merrill	Slate	Warren
Jones (F)	Naramore	Smith (K)	Weeks
King	Nettles	Smith (P)	Williams
Kinsey	O'Daniel	Snell	Wise
Lang	Owens	Stewart	Wood
Lutz	Parker	Stokes	Wynot

—100

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Gafford moved to reconsider the vote by which the bill, H. 1901, was passed, and the motion was adopted.

And the bill:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt, or brewed beverages are now sold.

Was again taken up.

H. 1901 POSTPONED

On motion of Mr. Gafford, the bill, H. 1901, was temporarily postponed.

And the bill:

H. 739. (With Amendments): To amend further Code of Alabama 1940, Title 13, Section 254 as last amended by Act No. 313, H. 823, Regular Session 1971, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend Section 1, "Section 254 (b)" of H. B. 739 by changing the words "five thousand seven hundred sixty dollars" to read "six thousand four hundred dollars".

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

REGULAR SESSION
29th Day

3327

Brassell	Falkenburg	McCorquodale	St. John
Burgess	Fite	McDonald	Slate
Callahan	Flippo	McMillan	Smith (K)
Carnes	Gafford	McNair	Smith (P)
Carter	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Naramore	Therrell
Cottingham	Harris	Nettles	Timmons
Crawford	Headley	O'Daniel	Turner
Cross	Hearn	Owens	Turnham
Crowe	Hill	Parker	Waggoner
Culver	Hughes	Perloff	Waldrop
Dill	Jackson	Porter	Wallace
Downing	Jones (F)	Pruitt	Warren
Drake	King	Reed (T)	Weeks
Easters	Kinsey	Reid (R)	Williams
Edwards	Lang	Reynolds	Wise
Ellis	Lutz	Roberts	Wood
Erdreich	McCluskey	Robertson	Wynot

—100

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend Section 1, "Section 254 (D)" of H. B. 739 by changing the words "two thousand two hundred fifty dollars" to read "two thousand seven hundred dollars".

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Harris	Nettles
Adams	Crawford	Headley	O'Daniel
Adwell	Cross	Hearn	Owens
Agee	Crowe	Hill	Parker
Bank	Culver	Hughes	Perloff
Barkett	Dill	Jackson	Porter
Barron	Downing	Jones (F)	Pruitt
Bassett	Drake	King	Reed (T)
Benton	Easters	Kinsey	Reid (R)
Boles	Edwards	Lang	Reynolds
Boutwell	Ellis	Lutz	Roberts
Bowers	Erdreich	McCluskey	Robertson
Brassell	Falkenburg	McCorquodale	St. John
Burgess	Fite	McDonald	Slate
Callahan	Flippo	McMillan	Smith (K)
Carnes	Gafford	McNair	Smith (P)
Carter	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Naramore	Therrell

Timmons
Turner
Turnham

Waggoner
Waldrop
Wallace

Warren
Weeks
Williams

Wise
Wood
Wynot

—100

And the bill, H. 739 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Brassell
Burgess
Callahan
Carnes
Carter
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford
Cross

Crowe
Culver
Dill
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hale
Hardin
Harris
Headley
Hearn
Hill
Hughes
Jackson

Jones (F)
King
Kinsey
Lang
Lutz
McCluskey
McCorquodale
McDonald
McMillan
McNair
Manley
Mathews
May
Meeks
Merrill
Naramore
Nettles
O'Daniel
Owens
Parker
Perloff
Porter
Pruitt
Reed (T)
Reid (R)

Reynolds
Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Taylor
Therrell
Timmons
Turner
Turnham
Waggoner
Waldrop
Wallace
Warren
Weeks
Williams
Wise
Wood
Wynot

—100

And the bill:

H. 740. (With Amendment): To amend further Section 4, Act No. 172, H. 187, 1st Special Session 1964, as amended, which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by increasing the salary range for the Administrative Assistant to the District Attorney in such counties.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend H. B. 740 by changing the words and figures \$10,000.00 wherever they may appear therein to the words and figures \$9,150.00.

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell

Agee
Bank
Barkett

Barron
Bassett
Benton

Boles
Boutwell
Bowers

REGULAR SESSION
29th Day

3329

Brassell	Falkenburg	McCorquodale	St. John
Burgess	Fite	McDonald	Slate
Callahan	Flippo	McMillan	Smith (K)
Carnes	Gafford	McNair	Smith (P)
Carter	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Naramore	Therrell
Cottingham	Harris	Nettles	Timmons
Crawford	Headley	O'Daniel	Turner
Cross	Hearn	Owens	Turnham
Crowe	Hill	Parker	Waggoner
Culver	Hughes	Perloff	Waldrop
Dill	Jackson	Porter	Wallace
Downing	Jones (F)	Pruitt	Warren
Drake	King	Reed (T)	Weeks
Easters	Kinsey	Reid (R)	Williams
Edwards	Lang	Reynolds	Wise
Ellis	Lutz	Roberts	Wood
Erdreich	McCluskey	Robertson	Wynot

—100

And the bill, H. 740 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1811. (With Amendment): To fix the compensation or salary of the Clerk of the Circuit Court in all counties having a population of not less

than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend H. B. 1811 by changing the words and figures \$20,000.00 to \$19,290.00 wherever they appear in the bill.

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flipppo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill, H. 1811 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Boles	Chesnut	Dill
Adams	Boutwell	Collins	Downing
Adwell	Bowers	Connell	Drake
Agee	Brassell	Coshatt	Easters
Bank	Burgess	Cottingham	Edwards
Barkett	Callahan	Crawford	Ellis
Barron	Carnes	Cross	Erdreich
Bassett	Carter	Crowe	Falkenburg
Benton	Cauthen	Culver	Fite

REGULAR SESSION
29th Day

3331

Flippo	Kinsey	Owens	Stokes
Gafford	Lang	Parker	Stubbs
Goodwin	Lutz	Perloff	Taylor
Grainger	McCluskey	Porter	Therrell
Gray (F)	McCorquodale	Pruitt	Timmons
Grey (D)	McDonald	Reed (T)	Turner
Hale	McMillan	Reid (R)	Turnham
Hardin	McNair	Reynolds	Waggoner
Harris	Manley	Roberts	Waldrop
Headley	Mathews	Robertson	Wallace
Hearn	May	St. John	Warren
Hill	Meeks	Slate	Weeks
Hughes	Merrill	Smith (K)	Williams
Jackson	Naramore	Smith (P)	Wise
Jones (F)	Nettles	Snell	Wood
King	O'Daniel	Stewart	Wynot

—100

And the bill:

H. 1903. Proposing an amendment to the Constitution of Alabama authorizing the levying of a special property tax in Mobile County for the purpose of carrying out the operation and programs of the County Health Department, including a program to control mosquitoes, rodents and other vectors of public health and welfare significance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1128. To provide for official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Sections 827 (1) thru and including Section 827 (6), as last amended, of Title 7 of the Code of Alabama shall apply to and govern procedures in such courts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Haie	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1833. To amend the title and Section 2 of Act No. 2453, Acts of Alabama, Regular Session 1971 (1971 Acts, Vol. V, p. 3920), which relates to certain counties classified on a population basis, so as to exempt certain municipalities and governmental agencies and their employees from its provisions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
29th Day

3333

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1352. An act relating to Mobile County, authorizing the government of each municipality in the county to contribute public funds for a volunteer rescue squad.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Falkenburg	King
Adams	Chesnut	Fite	Kinsey
Adwell	Collins	Flippo	Lang
Agee	Connell	Gafford	Lutz
Bank	Coshatt	Goodwin	McCluskey
Barkett	Cottingham	Grainger	McCorquodale
Barron	Crawford	Gray (F)	McDonald
Bassett	Cross	Grey (D)	McMillan
Benton	Crowe	Hale	McNair
Boles	Culver	Hardin	Manley
Boutwell	Dill	Harris	Mathews
Bowers	Downing	Headley	May
Brassell	Drake	Hearn	Meeks
Burgess	Easters	Hill	Merrill
Callahan	Edwards	Hughes	Naramore
Carnes	Ellis	Jackson	Nettles
Carter	Erdreich	Jones (F)	O'Daniel

29th Day

Owens	Roberts	Stokes	Waldrop
Parker	Robertson	Stubbs	Wallace
Perloff	St. John	Taylor	Warren
Porter	Slate	Therrell	Weeks
Pruitt	Smith (K)	Timmons	Williams
Reed (T)	Smith (P)	Turner	Wise
Reid (R)	Snell	Turnham	Wood
Reynolds	Stewart	Waggoner	Wynot

—100

And the bill:

H. 1721. To authorize the County Commission of Mobile County to make appropriations for the support, operation, maintenance, improvement and expansion of the Greater Mobile Safety Council in Mobile County for the use and benefit of the public.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1192. (With Substitute): To prohibit the State Committee of Public Health from closing or denying a health permit to certain food handling establishments in all counties with a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the State Committee of Public Health from closing or denying a health permit to certain food handling establishments in all counties with a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties with a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census no regulation adopted and promulgated by the State Committee of Public Health pursuant to Title 22, Section 85, Code of Alabama 1940, as amended, shall authorize or allow that said committee or any agency of the said committee to deny a health permit to the operator of a food handling establishment in such counties, or to close a food handling establishment in such counties, because of the type of serving, if the food establishment was providing a place of residence for, and serving food to boarders, and their guests, on July 23, 1969 and providing a place of residence for, and serving food to boarders, and their guests, on October 1, 1973, and the said committee or any agency of the said committee has not received complaints from the public or otherwise that the method of food handling or food service, has resulted in food contamination or food poisoning to a member of the public, which complaint is verified by the said committee or an agency of the said committee.

Other private organizations or clubs, which serve food, and were operating July 23, 1969 and operating October 1, 1973, the officers and the Board of Directors may petition the local Board of Health to allow an alternate style of food service. The local Board of Health shall approve or reject any petition based on whether the food service style is, or is likely to become, a threat to the public's health.

Provided that this act will apply only to the type of service; and the aforementioned food establishments, which serve the public, shall comply with all the other sanitary and personal hygiene requirements of the Alabama Department of Public Health "Regulations Governing the Manufacture, Preparation, Display and Service of Foods, Confections and Beverages".

Section 2. This act shall become effective immediately upon passage and approval by the Governor, or upon its otherwise becoming law.

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Boles	Chesnut	Dill
Adams	Boutwell	Collins	Downing
Adwell	Bowers	Connell	Drake
Agee	Brassell	Coshatt	Easters
Bank	Burgess	Cottingham	Edwards
Barkett	Callahan	Crawford	Ellis
Barron	Carnes	Cross	Erdreich
Bassett	Carter	Crowe	Falkenburg
Benton	Cauthen	Culver	Fite

Flippo	Kinsey	Owens	Stokes
Gafford	Lang	Parker	Stubbs
Goodwin	Lutz	Perloff	Taylor
Grainger	McCluskey	Porter	Therrell
Gray (F)	McCorquodale	Pruitt	Timmons
Grey (D)	McDonald	Reed (T)	Turner
Hale	McMillan	Reid (R)	Turnham
Hardin	McNair	Reynolds	Waggoner
Harris	Manley	Roberts	Waldrop
Headley	Mathews	Robertson	Wallace
Hearn	May	St. John	Warren
Hill	Meeks	Slate	Weeks
Hughes	Merrill	Smith (K)	Williams
Jackson	Naramore	Smith (P)	Wise
Jones (F)	Nettles	Snell	Wood
King	O'Daniel	Stewart	Wynot

—100

And the bill, H. 1192 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1454. To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent Federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
29th Day

3337

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1555. To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Carnes	Easters	Headley
Adams	Carter	Edwards	Hearn
Adwell	Cauthen	Ellis	Hill
Agee	Chesnut	Erdreich	Hughes
Bank	Collins	Falkenburg	Jackson
Barkett	Connell	Fite	Jones (F)
Barron	Coshatt	Flippo	King
Bassett	Cottingham	Gafford	Kinsey
Benton	Crawford	Goodwin	Lang
Boles	Cross	Grainger	Lutz
Boutwell	Crowe	Gray (F)	McCluskey
Bowers	Culver	Grey (D)	McCorquodale
Brassell	Dill	Hale	McDonald
Burgess	Downing	Hardin	McMillan
Callahan	Drake	Harris	McNair

Manley	Perloff	Smith (K)	Turnham
Mathews	Porter	Smith (P)	Waggoner
May	Pruitt	Snell	Waldrop
Meeks	Reed (T)	Stewart	Wallace
Merrill	Reid (R)	Stokes	Warren
Naramore	Reynolds	Stubbs	Weeks
Nettles	Roberts	Taylor	Williams
O'Daniel	Robertson	Therrell	Wise
Owens	St. John	Timmons	Wood
Parker	Slate	Turner	Wynot

—100

And the bill:

H. 1704. To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1826. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
29th Day

3339

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1859. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	Lutz
Adams	Collins	Gafford	McCluskey
Adwell	Connell	Goodwin	McCorquodale
Agee	Coshatt	Grainger	McDonald
Bank	Cottingham	Gray (F)	McMillan
Barkett	Crawford	Grey (D)	McNair
Barron	Cross	Hale	Manley
Bassett	Crowe	Hardin	Mathews
Benton	Culver	Harris	May
Boles	Dill	Headley	Meeks
Boutwell	Downing	Hearn	Merrill
Bowers	Drake	Hill	Naramore
Brassell	Easters	Hughes	Nettles
Burgess	Edwards	Jackson	O'Daniel
Callahan	Ellis	Jones (F)	Owens
Carnes	Erdreich	King	Parker
Carter	Falkenburg	Kinsey	Perloff
Cauthen	Fite	Lang	Porter

29th Day

Pruitt	Slate	Taylor	Wallace
Reed (T)	Smith (K)	Therrell	Warren
Reid (R)	Smith (P)	Timmons	Weeks
Reynolds	Snell	Turner	Williams
Roberts	Stewart	Turnham	Wise
Robertson	Stokes	Waggoner	Wood
St. John	Stubbs	Waldrop	Wynot

—100

And the bill:

H. 1862. Relating to all counties having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1863. Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Brassell
Adams	Barkett	Boles	Burgess
Adwell	Barron	Boutwell	Callahan
Agee	Bassett	Bowers	Carnes

REGULAR SESSION
29th Day

3341

Carter	Gafford	McMillan	Slate
Cauthen	Goodwin	McNair	Smith (K)
Chesnut	Grainger	Manley	Smith (P)
Collins	Gray (F)	Mathews	Snell
Connell	Grey (D)	May	Stewart
Coshatt	Hale	Meeks	Stokes
Cottingham	Hardin	Merrill	Stubbs
Crawford	Harris	Naramore	Taylor
Cross	Headley	Nettles	Therrell
Crowe	Hearn	O'Daniel	Timmons
Culver	Hill	Owens	Turner
Dill	Hughes	Parker	Turnham
Downing	Jackson	Perloff	Waggoner
Drake	Jones (F)	Porter	Waldrop
Easters	King	Pruitt	Wallace
Edwards	Kinsey	Reed (T)	Warren
Ellis	Lang	Reid (R)	Weeks
Erdreich	Lutz	Reynolds	Williams
Falkenburg	McCluskey	Roberts	Wise
Fite	McCorquodale	Robertson	Wood
Flippo	McDonald	St. John	Wynot

—100

And the bill:

H. 1870. To amend Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), which relates to providing compensation and allowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1871. Relating to Cleburne County to provide for the payment of a clerk hire allowance in the probate judge's office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1875. To authorize the Autauga County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Coshatt
Adams	Benton	Carnes	Cottingham
Adwell	Boles	Carter	Crawford
Agee	Boutwell	Cauthen	Cross
Bank	Bowers	Chesnut	Crowe
Barkett	Brassell	Collins	Culver
Barron	Burgess	Connell	Dill

REGULAR SESSION
29th Day

3343

Downing	Hearn	Merrill	Snell
Drake	Hill	Naramore	Stewart
Easters	Hughes	Nettles	Stokes
Edwards	Jackson	O'Daniel	Stubbs
Ellis	Jones (F)	Owens	Taylor
Erdreich	King	Parker	Therrell
Falkenburg	Kinsey	Perloff	Timmons
Fite	Lang	Porter	Turner
Flippo	Lutz	Pruitt	Turnham
Gafford	McCluskey	Reed (T)	Waggoner
Goodwin	McCorquodale	Reid (R)	Waldrop
Grainger	McDonald	Reynolds	Wallace
Gray (F)	McMillan	Roberts	Warren
Grey (D)	McNair	Robertson	Weeks
Hale	Manley	St. John	Williams
Hardin	Mathews	Slate	Wise
Harris	May	Smith (K)	Wood
Headley	Meeks	Smith (P)	Wynot

—100

And the bill:

H. 1880. To authorize the Etowah County Commission to provide for the relief of Mrs. Carolyn D. Thomas, widow of Deward W. Thomas, an employee of the county until his accidental death on February 16, 1972.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1882. Relating to all counties having populations of not less than

16,245 nor more than 16,300; providing an additional expense allowance for county superintendents of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1889. To provide for the semi-annual publication by the governing body of Lawrence County of an itemized account of all receipts and expenditures of said Lawrence County, and to provide penalty for failure to observe this law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Easters
Adams	Bowers	Coshatt	Edwards
Adwell	Brassell	Cottingham	Ellis
Agee	Burgess	Crawford	Erdreich
Bank	Callahan	Cross	Falkenburg
Barkett	Carnes	Crowe	Fite
Barron	Carter	Culver	Flippo
Bassett	Cauthen	Dill	Gafford
Benton	Chesnut	Downing	Goodwin
Boles	Collins	Drake	Grainger

REGULAR SESSION
29th Day

3345

Gray (F)	McCluskey	Perloff	Stubbs
Grey (D)	McCorquodale	Porter	Taylor
Hale	McDonald	Pruitt	Therrell
Hardin	McMillan	Reed (T)	Timmons
Harris	McNair	Reid (R)	Turner
Headley	Manley	Reynolds	Turnham
Hearn	Mathews	Roberts	Waggoner
Hill	May	Robertson	Waldrop
Hughes	Meeks	St. John	Wallace
Jackson	Merrill	Slate	Warren
Jones (F)	Naramore	Smith (K)	Weeks
King	Nettles	Smith (P)	Williams
Kinsey	O'Daniel	Snell	Wise
Lang	Owens	Stewart	Wood
Lutz	Parker	Stokes	Wynot

—100

And the bill:

H. 1892. To amend Section 5 of Act No. 315, H. 390, 1971 Third Special Session (Acts of 1971, Vol. 5, Pages 4605, 4606) entitled, "An Act Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of Warrant Clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1900. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and es-

tablished the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1904. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cross	Flippo
Adams	Burgess	Crowe	Gafford
Adwell	Callahan	Culver	Goodwin
Agee	Carnes	Dill	Grainger
Bank	Carter	Downing	Gray (F)
Barkett	Cauthen	Drake	Grey (D)
Barron	Chesnut	Easters	Hale
Bassett	Collins	Edwards	Hardin
Benton	Connell	Ellis	Harris
Boles	Coshatt	Erdreich	Headley
Boutwell	Cottingham	Falkenburg	Hearn
Bowers	Crawford	Fite	Hill

REGULAR SESSION
29th Day

3347

Hughes	Mathews	Reid (R)	Therrell
Jackson	May	Reynolds	Timmons
Jones (F)	Meeks	Roberts	Turner
King	Merrill	Robertson	Turnham
Kinsey	Naramore	St. John	Waggoner
Lang	Nettles	Slate	Waldrop
Lutz	O'Daniel	Smith (K)	Wallace
McCluskey	Owens	Smith (P)	Warren
McCorquodale	Parker	Snell	Weeks
McDonald	Perloff	Stewart	Williams
McMillan	Porter	Stokes	Wise
McNair	Pruitt	Stubbs	Wood
Manley	Reed (T)	Taylor	Wynot

—100

And the bill:

H. 1910. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to further provide for the classification of certain lunchroom employees of boards of education of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1911. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to provide that any county employee who has become a member and

participates in the State Employees' Retirement System shall be allowed prior service credit for any time served as an employee of the State of Alabama prior to such membership.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1915. Relating to Marshall County; to authorize and permit grocery stores to remain open on Sunday provided any such grocery store does not have on duty in such stores more than three employees at any one time on Sunday and to provide for licensing such grocery stores by the license issuing officer of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Cross
Adams	Boles	Cauthen	Crowe
Adwell	Boutwell	Chesnut	Culver
Agee	Bowers	Collins	Dill
Bank	Brassell	Connell	Downing
Barkett	Burgess	Coshatt	Drake
Barron	Callahan	Cottingham	Easters
Bassett	Carnes	Crawford	Edwards

REGULAR SESSION
29th Day

3349

Ellis	Jackson	Nettles	Stewart
Erdreich	Jones (F)	O'Daniel	Stokes
Falkenburg	King	Owens	Stubbs
Fite	Kinsey	Parker	Taylor
Flippo	Lang	Perloff	Therrell
Gafford	Lutz	Porter	Timmons
Goodwin	McCluskey	Pruitt	Turner
Grainger	McCorquodale	Reed (T)	Turnham
Gray (F)	McDonald	Reid (R)	Waggoner
Grey (D)	McMillan	Reynolds	Waldrop
Hale	McNair	Roberts	Wallace
Hardin	Manley	Robertson	Warren
Harris	Mathews	St. John	Weeks
Headley	May	Slate	Williams
Hearn	Meeks	Smith (K)	Wise
Hill	Merrill	Smith (P)	Wood
Hughes	Naramore	Snell	Wynot

—100

And the bill:

H. 1916. To establish a Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County and of the office of the Register of the Circuit Court of Marshall County, to provide for the membership of such Salary Commission, to define its powers and duties, and to define the duties of the Clerk of the Circuit Court of Marshall County and of the Register of the Circuit Court of Marshall County with reference to such Commission, and the duties of the Marshall County Commission with reference to such Salary Commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1556. (With Amendment): To amend further Act No. 56, H. 285, Regular Session, 1953 (Acts 1953, p. 76), as heretofore amended, an Act levying additional privilege and license taxes in Tuscaloosa County; so as to redefine terms relating to hospital boards and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In Section 11 of the Act amend by Section 2 of H. B. 1556 in subsection (d) line 3 delete the words "the number of beds" and substitute in lieu thereof the following, viz:

the number of charity patient days

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill, H. 1556 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

REGULAR SESSION
29th Day

3351

Brassell	Falkenburg	McCorquodale	St. John
Burgess	Fite	McDonald	Slate
Callahan	Flippo	McMillan	Smith (K)
Carnes	Gafford	McNair	Smith (P)
Carter	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Naramore	Therrell
Cottingham	Harris	Nettles	Timmons
Crawford	Headley	O'Daniel	Turner
Cross	Hearn	Owens	Turnham
Crowe	Hill	Parker	Waggoner
Culver	Hughes	Perloff	Waldrop
Dill	Jackson	Porter	Wallace
Downing	Jones (F)	Pruitt	Warren
Drake	King	Reed (T)	Weeks
Easters	Kinsey	Reid (R)	Williams
Edwards	Lang	Reynolds	Wise
Ellis	Lutz	Roberts	Wood
Erdreich	McCluskey	Robertson	Wynot

—100

UNANIMOUS CONSENT GRANTED

At the request of Mr. Bank, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1556.

And the bill:

S. 173. To permit banks now or hereafter situated in counties having a population of not less than 16,600 nor more than 16,950 according to the last or most recent federal decennial census, to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	Lutz
Adams	Collins	Gafford	McCluskey
Adwell	Connell	Goodwin	McCorquodale
Agee	Coshatt	Grainger	McDonald
Bank	Cottingham	Gray (F)	McMillan
Barkett	Crawford	Grey (D)	McNair
Barron	Cross	Hale	Manley
Bassett	Crowe	Hardin	Mathews
Benton	Culver	Harris	May
Boles	Dill	Headley	Meeks
Boutwell	Downing	Hearn	Merrill
Bowers	Drake	Hill	Naramore
Brassell	Easters	Hughes	Nettles
Burgess	Edwards	Jackson	O'Daniel
Callahan	Ellis	Jones (F)	Owens
Carnes	Erdreich	King	Parker
Carter	Falkenburg	Kinsey	Perloff
Cauthen	Fite	Lang	Porter

29th Day

Pruitt	Slate	Taylor	Wallace
Reed (T)	Smith (K)	Therrell	Warren
Reid (R)	Smith (P)	Timmons	Weeks
Reynolds	Snell	Turner	Williams
Roberts	Stewart	Turnham	Wise
Robertson	Stokes	Waggoner	Wood
St. John	Stubbs	Waldrop	Wynot

—100

And the bill:

S. 236. To authorize any city in any county having a population of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census, to establish, maintain and operate a non-profit ambulance service.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 503. Relating to Etowah County; providing that the governing body of Etowah County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

REGULAR SESSION

3353

29th Day

Brassell	Falkenburg	McCorquodale	St. John
Burgess	Fite	McDonald	Slate
Callahan	Flippo	McMillan	Smith (K)
Carnes	Gafford	McNair	Smith (P)
Carter	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Naramore	Therrell
Cottingham	Harris	Nettles	Timmons
Crawford	Headley	O'Daniel	Turner
Cross	Hearn	Owens	Turnham
Crowe	Hill	Parker	Waggoner
Culver	Hughes	Perloff	Waldrop
Dill	Jackson	Porter	Wallace
Downing	Jones (F)	Pruitt	Warren
Drake	King	Reed (T)	Weeks
Easters	Kinsey	Reid (R)	Williams
Edwards	Lang	Reynolds	Wise
Ellis	Lutz	Roberts	Wood
Erdreich	McCluskey	Robertson	Wynot

—100

And the bill:

S. 504. To amend Section 2 of Act No. 398, H. 876, Regular Session, 1955, (Acts 1955, p. 933), an act relating to Etowah County, creating the governing body of such county, said Section 2 thereof providing for the election and term of office of the president of such governing body.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 511. Relating to Wilcox County; providing an additional expense allowance for the chairman and members of the Wilcox County Commission or other like governing body.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 524. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of the Tax Collector and or the Tax Assessor of Choctaw County, Alabama.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Erdreich
Adams	Brassell	Crawford	Falkenburg
Adwell	Burgess	Cross	Fite
Agee	Callahan	Crowe	Flippo
Bank	Carnes	Culver	Gafford
Barkett	Carter	Dill	Goodwin
Barron	Cauthen	Downing	Grainger
Bassett	Chesnut	Drake	Gray (F)
Benton	Collins	Easters	Grey (D)
Boles	Connell	Edwards	Hale
Boutwell	Coshatt	Ellis	Hardin

REGULAR SESSION
29th Day

3355

Harris	McMillan	Pruitt	Taylor
Headley	McNair	Reed (T)	Therrell
Hearn	Manley	Reid (R)	Timmons
Hill	Mathews	Reynolds	Turner
Hughes	May	Roberts	Turnham
Jackson	Meeks	Robertson	Waggoner
Jones (F)	Merrill	St. John	Waldrop
King	Naramore	Slate	Wallace
Kinsey	Nettles	Smith (K)	Warren
Lang	O'Daniel	Smith (P)	Weeks
Lutz	Owens	Snell	Williams
McCluskey	Parker	Stewart	Wise
McCorquodale	Perloff	Stokes	Wood
McDonald	Porter	Stubbs	Wynot

—100

And the bill:

S. 529. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Gray (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 533. To authorize the county governing body in any county having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census to create a county development fund.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 534. Relating to all counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census, providing for an expense allowance for members of the county commission.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Carnes	Easters	Headley
Adams	Carter	Edwards	Hearn
Adwell	Cauthen	Ellis	Hill
Agee	Chesnut	Erdreich	Hughes
Bank	Collins	Falkenburg	Jackson
Barkett	Connell	Fite	Jones (F)
Barron	Coshatt	Flippo	King
Bassett	Cottingham	Gafford	Kinsey
Benton	Crawford	Goodwin	Lang
Boles	Cross	Grainger	Lutz
Boutwell	Crowe	Gray (F)	McCluskey
Bowers	Culver	Grey (D)	McCorquodale
Brassell	Dill	Hale	McDonald
Burgess	Downing	Hardin	McMillan
Callahan	Drake	Harris	McNair

REGULAR SESSION
29th Day

3357

Manley	Perloff	Smith (K)	Turnham
Mathews	Porter	Smith (P)	Waggoner
May	Pruitt	Snell	Waldrop
Meeks	Reed (T)	Stewart	Wallace
Merrill	Reid (R)	Stokes	Warren
Naramore	Reynolds	Stubbs	Weeks
Nettles	Roberts	Taylor	Williams
O'Daniel	Robertson	Therrell	Wise
Owens	St. John	Timmons	Wood
Parker	Slate	Turner	Wynot

—100

And the bill:

S. 541. Relating to all counties with a population of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to provide an additional expense allowance for the coroner of such counties.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flipppo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 553. Relating to Monroe County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Adwell	Bank	Barron
Adams	Agee	Barkett	Bassett

29th Day

Benton	Edwards	Lutz	Robertson
Boles	Ellis	McCluskey	St. John
Boutwell	Erdreich	McCorquodale	Slate
Bowers	Falkenburg	McDonald	Smith (K)
Brassell	Fite	McMillan	Smith (P)
Burgess	Flippo	McNair	Snell
Callahan	Gafford	Manley	Stewart
Carnes	Goodwin	Mathews	Stokes
Carter	Grainger	May	Stubbs
Cauthen	Gray (F)	Meeks	Taylor
Chesnut	Grey (D)	Merrill	Therrell
Collins	Hale	Naramore	Timmons
Connell	Hardin	Nettles	Turner
Coshatt	Harris	O'Daniel	Turnham
Cottingham	Headley	Owens	Waggoner
Crawford	Hearn	Parker	Waldrop
Cross	Hill	Perloff	Wallace
Crowe	Hughes	Porter	Warren
Culver	Jackson	Pruitt	Weeks
Dill	Jones (F)	Reed (T)	Williams
Downing	King	Reid (R)	Wise
Drake	Kinsey	Reynolds	Wood
Easters	Lang	Roberts	Wynot

—100

And the bill:

S. 588. Relating to the DeKalb County Inferior Court; changing the name of this court to DeKalb County District Court.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

REGULAR SESSION
29th Day

3359

And the bill:

S. 589. Relating to DeKalb County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 590. Relating to DeKalb County; to amend Act No. 361, S. 561, Regular Session 1971 (Acts 1971, p. 658), fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Easters
Adams	Bowers	Coshatt	Edwards
Adwell	Brassell	Cottingham	Ellis
Agee	Burgess	Crawford	Erdreich
Bank	Callahan	Cross	Falkenburg
Barkett	Carnes	Crowe	Fite
Barron	Carter	Culver	Flippo
Bassett	Cauthen	Dill	Gafford
Benton	Chesnut	Downing	Goodwin
Boles	Collins	Drake	Grainger

29th Day

Gray (F)	McCluskey	Perloff	Stubbs
Grey (D)	McCorquodale	Porter	Taylor
Hale	McDonald	Pruitt	Therrell
Hardin	McMillan	Reed (T)	Timmons
Harris	McNair	Reid (R)	Turner
Headley	Manley	Reynolds	Turnham
Hearn	Mathews	Roberts	Waggoner
Hill	May	Robertson	Waldrop
Hughes	Meeks	St. John	Wallace
Jackson	Merrill	Slate	Warren
Jones (F)	Naramore	Smith (K)	Weeks
King	Nettles	Smith (P)	Williams
Kinsey	O'Daniel	Snell	Wise
Lang	Owens	Stewart	Wood
Lutz	Parker	Stokes	Wynot

—100

And the bill:

S. 618. To authorize the Tax Assessor, Tax Collector, and Clerk of the Circuit Court, Judge of Probate Court and Judge of the Intermediate Court in all counties having a population of not less than 23,900 nor more than 24,450 to hire clerical assistants, to set the compensation of such assistants, and to provide that the salaries of such assistants be paid from the general funds of such Counties.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flipppo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 627. To authorize the governing body of DeKalb County to pay all

REGULAR SESSION
29th Day

3361

expenses incurred by the Circuit Court Clerks and Registers in their respective state organizations.

Was read a third time at length and and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Gray (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 628. To amend Section 1 of Act No. 359, S. 559, Regular Session 1971 (Acts 1971, p. 657), which Act provides for the compensation of the members and clerk of the jury commission of DeKalb County.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Callahan	Downing	Hale
Adams	Carnes	Drake	Hardin
Adwell	Carter	Easters	Harris
Agee	Cauthen	Edwards	Headley
Bank	Chesnut	Ellis	Hearn
Barkett	Collins	Erdreich	Hill
Barron	Connell	Falkenburg	Hughes
Bassett	Coshatt	Fite	Jackson
Benton	Cottingham	Flippo	Jones (F)
Boles	Crawford	Gafford	King
Boutwell	Cross	Goodwin	Kinsey
Bowers	Crowe	Grainger	Lang
Brassell	Culver	Gray (F)	Lutz
Burgess	Dill	Gray (D)	McCluskey

McCorquodale	O'Daniel	St. John	Turner
McDonald	Owens	Slate	Turnham
McMillan	Parker	Smith (K)	Waggoner
McNair	Perloff	Smith (P)	Waldrop
Manley	Porter	Snell	Wallace
Mathews	Pruitt	Stewart	Warren
May	Reed (T)	Stokes	Weeks
Meeks	Reid (R)	Stubbs	Williams
Merrill	Reynolds	Taylor	Wise
Naramore	Roberts	Therrell	Wood
Nettles	Robertson	Timmons	Wynot

—100

And the bill:

S. 630. Relating to DeKalb County; fixing the salary of the chief deputy, deputies and other positions of the sheriff's office and providing the method of paying such salaries; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 635. To permit banks now or hereafter situated in Choctaw County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Was read a third time at length and passed.

REGULAR SESSION
29th Day

3363

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Gray (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Fruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 645. Relating to Marshall County; to provide for the compensation of the Judge of the County Court of Marshall County, Alabama, to take effect upon the expiration of the term of the incumbent Judge of the County Court.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Falkenburg	King
Adams	Chesnut	Fite	Kinsey
Adwell	Collins	Flippo	Lang
Agee	Connell	Gafford	Lutz
Bank	Coshatt	Goodwin	McCluskey
Barkett	Cottingham	Grainger	McCorquodale
Barron	Crawford	Gray (F)	McDonald
Bassett	Cross	Gray (D)	McMillan
Benton	Crowe	Hale	McNair
Boles	Culver	Hardin	Manley
Boutwell	Dill	Harris	Mathews
Bowers	Downing	Headley	May
Brassell	Drake	Hearn	Meeks
Burgess	Easters	Hill	Merrill
Callahan	Edwards	Hughes	Naramore
Carnes	Ellis	Jackson	Nettles
Carter	Erdreich	Jones (F)	O'Daniel

29th Day

Owens	Roberts	Stokes	Waldrop
Parker	Robertson	Stubbs	Wallace
Perloff	St. John	Taylor	Warren
Porter	Slate	Therrell	Weeks
Pruitt	Smith (K)	Timmons	Williams
Reed (T)	Smith (P)	Turner	Wise
Reid (R)	Snell	Turnham	Wood
Reynolds	Stewart	Waggoner	Wynot

—100

And the bill:

S. 646. To authorize the Judge of the County Court to permanently transfer, by appropriate entry on the docket sheet any pending suits and proceedings for divorce or separate maintenance, suits for annulment or marriage, and any case or proceedings involving custody and support of children, granting, and enforcement of alimony, and all other domestic and marital matters over which the County Court has concurrent jurisdiction with the Circuit Court of the 27th Judicial Circuit. Such cases to be transferred in the discretion of the Judge of the County Court. METHOD OF TRANSFER:

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 648. To authorize and provide for the establishment, maintenance, operation, and financing of a Public Law Library in Marshall County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain courts in said County for such purpose and for

REGULAR SESSION
29th Day

3365

the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 649. Relating to Marshall County; to provide for the payment to the Judge of the County Court for expenses of attending seminars, conferences, schools and payment of dues for memberships in County Judge's Organizations.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Boles	Chesnut	Dill
Adams	Boutwell	Collins	Downing
Adwell	Bowers	Connell	Drake
Agee	Brassell	Coshatt	Easters
Bank	Burgess	Cottingham	Edwards
Barkett	Callahan	Crawford	Ellis
Barron	Carnes	Cross	Erdreich
Bassett	Carter	Crowe	Falkenburg
Benton	Cauthen	Culver	Fite

29th Day

Flippo	Kinsey	Owens	Stokes
Gafford	Lang	Parker	Stubbs
Goodwin	Lutz	Perloff	Taylor
Grainger	McCluskey	Porter	Therrell
Gray (F)	McCorquodale	Pruitt	Timmons
Grey (D)	McDonald	Reed (T)	Turner
Hale	McMillan	Reid (R)	Turnham
Hardin	McNair	Reynolds	Waggoner
Harris	Manley	Roberts	Waldrop
Headley	Mathews	Robertson	Wallace
Hearn	May	St. John	Warren
Hill	Meeks	Slate	Weeks
Hughes	Merrill	Smith (K)	Williams
Jackson	Naramore	Smith (P)	Wise
Jones (F)	Nettles	Snell	Wood
King	O'Daniel	Stewart	Wynot

—100

And the bill:

S. 650. Relating to Marshall County: The Circuit Judges of the 27th Judicial Circuit are authorized to appoint not more than two (2) attorneys licensed to practice law in Alabama and are members of the Marshall County Bar Association as Warrant Issuing Magistrates with authority to issue warrants, search warrants and writs of arrest for Marshall County and to provide for their compensation.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 651. To authorize the Circuit Judges of the Circuit Court of Marshall County to appoint bailiffs and to provide for compensation of such bail-

REGULAR SESSION
29th Day

3367

iffs, to further define duties of bailiff and to authorize the use of such bailiffs by the Judge of the County Court of Marshall County.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 659. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cross	Flippo
Adams	Burgess	Crowe	Gafford
Adwell	Callahan	Culver	Goodwin
Agee	Carnes	Dill	Grainger
Bank	Carter	Downing	Gray (F)
Barkett	Cauthen	Drake	Grey (D)
Barron	Chesnut	Easters	Hale
Bassett	Collins	Edwards	Hardin
Benton	Connell	Ellis	Harris
Boles	Coshatt	Erdreich	Headley
Boutwell	Cottingham	Falkenburg	Hearn
Bowers	Crawford	Fite	Hill

29th Day

Hughes	Mathews	Reid (R)	Therrell
Jackson	May	Reynolds	Timmons
Jones (F)	Meeks	Roberts	Turner
King	Merrill	Robertson	Turnham
Kinsey	Naramore	St. John	Waggoner
Lang	Nettles	Slate	Waldrop
Lutz	O'Daniel	Smith (K)	Wallace
McCluskey	Owens	Smith (P)	Warren
McCorquodale	Parker	Snell	Weeks
McDonald	Perloff	Stewart	Williams
McMillan	Porter	Stokes	Wise
McNair	Pruitt	Stubbs	Wood
Manley	Reed (T)	Taylor	Wynot

—100

And the bill:

S. 660. To provide for monthly compensation of the Chairman and Board members of the Rainbow City Gas, Water, and Sewer Board, in Etowah County.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 604. To further amend Sections 1 and 2 of Act No. 621, H. 1059, Regular Session 1951 (Acts 1951, p. 1074), as amended, which authorize the circuit clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant so as to provide further for additional assistants to the circuit clerk and provide for their compensation.

REGULAR SESSION
29th Day

3369

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 661. Relating to the 14th judicial circuit, providing a secretary for the circuit judge.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	Lutz
Adams	Collins	Gafford	McCluskey
Adwell	Connell	Goodwin	McCorquodale
Agee	Coshatt	Grainger	McDonald
Bank	Cottingham	Gray (F)	McMillan
Barkett	Crawford	Grey (D)	McNair
Barron	Cross	Hale	Manley
Bassett	Crowe	Hardin	Mathews
Benton	Culver	Harris	May
Boles	Dill	Headley	Meeks
Boutwell	Downing	Hearn	Merrill
Bowers	Drake	Hill	Naramore
Brassell	Easters	Hughes	Nettles
Burgess	Edwards	Jackson	O'Daniel
Callahan	Ellis	Jones (F)	Owens
Carnes	Erdreich	King	Parker
Carter	Falkenburg	Kinsey	Perloff
Cauthen	Fite	Lang	Porter

29th Day

Pruitt	Slate	Taylor	Wallace
Reed (T)	Smith (K)	Therrell	Warren
Reid (R)	Smith (P)	Timmons	Weeks
Reynolds	Snell	Turner	Williams
Roberts	Stewart	Turnham	Wise
Robertson	Stokes	Waggoner	Wood
St. John	Stubbs	Waldrop	Wynot

—100

And the bill:

S. 663. Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 665. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

REGULAR SESSION
29th Day

3371

Brassell	Falkenburg	McCorquodale	St. John
Burgess	Fite	McDonald	Slate
Callahan	Flippo	McMillan	Smith (K)
Carnes	Gafford	McNair	Smith (P)
Carter	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Naramore	Therrell
Cottingham	Harris	Nettles	Timmons
Crawford	Headley	O'Daniel	Turner
Cross	Hearn	Owens	Turnham
Crowe	Hill	Parker	Waggoner
Culver	Hughes	Perloff	Waldrop
Dill	Jackson	Porter	Wallace
Downing	Jones (F)	Pruitt	Warren
Drake	King	Reed (T)	Weeks
Easters	Kinsey	Reid (R)	Williams
Edwards	Lang	Reynolds	Wise
Ellis	Lutz	Roberts	Wood
Erdreich	McCluskey	Robertson	Wynot

—100

And the bill:

S. 696. Relating to the Fourteenth Judicial Circuit, providing further for the salaries of the court reporters of said circuit.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 699. To establish a Civil Service System for the City of Russellville; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city; to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purpose of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the compensation and expenses of such board; to guarantee certain rights to the governing body of the city; and to exclude certain employees from the provisions of this act.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Harris	Nettles
Adams	Crawford	Headley	O'Daniel
Adwell	Cross	Hearn	Owens
Agee	Crowe	Hill	Parker
Bank	Culver	Hughes	Perloff
Barkett	Dill	Jackson	Porter
Barron	Downing	Jones (F)	Pruitt
Bassett	Drake	King	Reed (T)
Benton	Easters	Kinsey	Reid (R)
Boles	Edwards	Lang	Reynolds
Boutwell	Ellis	Lutz	Roberts
Bowers	Erdreich	McCluskey	Robertson
Brassell	Falkenburg	McCorquodale	St. John
Burgess	Fite	McDonald	Slate
Callahan	Flippo	McMillan	Smith (K)
Carnes	Gafford	McNair	Smith (P)
Carter	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Naramore	Therrell

REGULAR SESSION
29th Day

3373

Timmons	Waggoner	Warren	Wise
Turner	Waldrop	Weeks	Wood
Turnham	Wallace	Williams	Wynot

—100

And the bill:

S. 714. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

S. 744. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Tax Collector and Tax Assessor and to provide for the payment of the same for said officers of such counties.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

Brassell	Falkenburg	McCorquodale	St. John
Burgess	Fite	McDonald	Slate
Callahan	Flippo	McMillan	Smith (K)
Carnes	Gafford	McNair	Smith (P)
Carter	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Naramore	Therrell
Cottingham	Harris	Nettles	Timmons
Crawford	Headley	O'Daniel	Turner
Cross	Hearn	Owens	Turnham
Crowe	Hill	Parker	Waggoner
Culver	Hughes	Perloff	Waldrop
Dill	Jackson	Porter	Wallace
Downing	Jones (F)	Pruitt	Warren
Drake	King	Reed (T)	Weeks
Easters	Kinsey	Reid (R)	Williams
Edwards	Lang	Reynolds	Wise
Ellis	Lutz	Roberts	Wood
Erdreich	McCluskey	Robertson	Wynot

—100

And the bill:

S. 765. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of a member or members of the Choctaw County Commission or governing body of Choctaw County, Alabama.

Was read a third time at length and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

REGULAR SESSION
29th Day

3375

And the bill:

H. 1888. To require that all district attorney's fees taxed and collected in all reciprocal support cases in the Twenty-Third Judicial Circuit shall be paid into the District Attorney's Fund of the county composing such circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

And the bill:

H. 1909. Pertaining to Madison County, to consolidate the offices of Register in Chancery of the 23rd Judicial Circuit, the office of County Court Clerk or its successor and the Clerk of the Circuit Court, 23rd Judicial Circuit; to provide that the Clerk of the said County Court henceforth perform duties and functions of the said Register and County Court Clerk; to provide the compensation of the Circuit Clerk and to otherwise provide for the office of Clerk of the Circuit Court, 23rd Judicial Circuit of Alabama; to create the office of Court Administrator; to provide the compensation and duties of said office and to otherwise provide for said office.

Was taken up.

Mr. Lutz offered the following amendment #1 to the bill:

Amend H. B. 1909 by striking the first sentence from Section 5 and substituting the following:

"Section 5. On July 1, 1974, the Clerk of the 23rd Judicial Circuit shall, subject to the approval of the presiding judge of the Twenty-third Judi-

cial Circuit, appoint a Court Administrator who shall be a Deputy Circuit Court Clerk and who shall be subject to the provisions of the Madison County Personnel System."

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

Mr. Lutz offered the following amendment #2 to the bill, H. 1909 as amended:

Amend H. B. 1909 by inserting the following Section 6 and renumbering subsequent sections accordingly:

"Section 6. All fees, commissions and other compensation of every nature heretofore paid to or collected by the Circuit Court Clerk, Register in Chancery or Clerk of the Madison County Court in Madison County except the compensation herein provided for or fixed by the Madison County Personnel Board shall be paid into the county treasury."

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Barron	Brassell	Chesnut
Adams	Bassett	Burgess	Collins
Adwell	Benton	Callahan	Connell
Agee	Boles	Carnes	Coshatt
Bank	Boutwell	Carter	Cottingham
Barkett	Bowers	Cauthen	Crawford

REGULAR SESSION
29th Day

3377

Cross	Hardin	May	Smith (P)
Crowe	Harris	Meeks	Snell
Culver	Headley	Merrill	Stewart
Dill	Hearn	Naramore	Stokes
Downing	Hill	Nettles	Stubbs
Drake	Hughes	O'Daniel	Taylor
Easters	Jackson	Owens	Therrell
Edwards	Jones (F)	Parker	Timmons
Ellis	King	Perloff	Turner
Erdreich	Kinsey	Porter	Turnham
Falkenburg	Lang	Pruitt	Waggoner
Fite	Lutz	Reed (T)	Waldrop
Flippo	McCluskey	Reid (R)	Wallace
Gafford	McCorquodale	Reynolds	Warren
Goodwin	McDonald	Roberts	Weeks
Grainger	McMillan	Robertson	Williams
Gray (F)	McNair	St. John	Wise
Grey (D)	Manley	Slate	Wood
Hale	Mathews	Smith (K)	Wynot

—100

And the bill, H. 1909 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Naramore	Turnham
Carter	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Erdreich and Falkenburg, unanimous consent was granted for the Journal to show them voting "Nay" on the bill, H. 1883.

And the bill:

H. 1828. (With Amendment): To prohibit, in any county having a population of 600,000 or more according to the most recent federal decennial

census, the occupancy of any building or structure any part of which is situated upon real property which abuts or joins that part of a street, alley, public way or right of way within which is situated pipes or mains of an approved public water supply system and which is not directly connected to water mains or pipes of an approved public water supply system; and to prohibit, in such counties, the sale or distribution of insanitary, impure or unwholesome water.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend H. B. 1828 by adding at the end of Section 2 the following:

“, unless said person, firm, association or corporation owns and utilizes a private water well which provides sanitary, pure and wholesome water which meets the standards of the Alabama State Board of Health or the County Board of Health.”

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	St. John
Adams	Easters	McCluskey	Smith (K)
Agee	Ellis	McCorquodale	Snell
Bank	Erdreich	McDonald	Stewart
Barron	Falkenburg	McMillan	Stokes
Benton	Fite	McNair	Taylor
Boutwell	Gafford	May	Therrell
Brassell	Grainger	Meeks	Timmons
Burgess	Hardin	Merrill	Turner
Carnes	Harris	Nettles	Waggoner
Carter	Hearn	O'Daniel	Waldrop
Casey	Hill	Owens	Wallace
Chesnut	Hughes	Parker	Warren
Coshatt	Jackson	Perloff	Williams
Cross	Jones (F)	Porter	Wise
Crowe	King	Reed (T)	Wood
Culver	Lang	Roberts	Wynot

—68

And the bill, H. 1828 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 1.

Yeas:

Mr. Speaker	Carnes	Culver	Grainger
Adams	Carter	Dill	Grey (D)
Agee	Casey	Downing	Hardin
Bank	Chesnut	Drake	Harris
Barron	Connell	Ellis	Hearn
Benton	Crawford	Erdreich	Hughes
Boutwell	Cross	Falkenburg	Jackson
Brassell	Crowe	Fite	Jones (F)

REGULAR SESSION
29th Day

3379

King	Meeks	Reed (T)	Turner
Lang	Merrill	Roberts	Waggoner
Lutz	Naramore	St. John	Waldrop
McCluskey	Nettles	Smith (K)	Wallace
McCorquodale	O'Daniel	Snell	Warren
McMillan	Owens	Stewart	Williams
McNair	Parker	Stokes	Wise
Mathews	Perloff	Therrell	Wood
May	Porter	Timmons	Wynot

—68

Nay: Mr. Gafford. —1

And the bill:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt, or brewed beverages are now sold.

Having been temporarily carried over, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 8.

Yeas:

Messrs.:	Drake	Lutz	Robertson
Adams	Easters	McCluskey	St. John
Bank	Ellis	McDonald	Slate
Barkett	Erdreich	McMillan	Smith (K)
Barron	Falkenburg	McNair	Snell
Boutwell	Fite	Meeks	Stokes
Brassell	Grainger	Nettles	Taylor
Carnes	Grey (D)	O'Daniel	Timmons
Carter	Hardin	Owens	Waggoner
Casey	Harris	Parker	Waldrop
Chesnut	Hearn	Perloff	Wallace
Cross	Jackson	Porter	Weeks
Crowe	King	Reed (T)	Williams
Culver	Lang	Roberts	Wynot
Dill			

—56

Nays:

Mr. Speaker	Doss	Hobbie	Merrill
Burgess	Gafford	Hughes	Stewart

—8

And the bill:

H. 1864. Relating to any counties having a population of not less than 39,500 nor more than 41,750, authorizing the county commission to set an expense allowance for county officials.

Was taken up.

H. 1864 POSTPONED

On motion of Mr. Carter, the bill, H. 1864, was postponed to the thirtieth legislative day.

And the bill:

S. 539. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Newton, Dale County, Alabama.

Was taken up.

S. 539 POSTPONED

On motion of Mr. Barkett, the bill, S. 539, was postponed to the thirtieth legislative day.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Manley, the rules were suspended in order to bring up out of order the bill, H. 666.

And the bill:

H. 666. To amend Section 28E of Act No. 91, H. 22, 1969 Special Session, (Acts 1969, p. 135) which relates to the capital outlay appropriation in the amount of \$100,000.00 granted to every school board within the State of Alabama, so as to authorize any school board in Marengo County to expend such funds for any educational purpose they desire; to make the provisions of this Act retroactive.

Was taken up.

H. 666 POSTPONED

On motion of Mr. Manley, the bill, H. 666, was indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House and herewith returns to the House for further consideration the Bill:

H. 1304. To amend Code of Alabama 1940, Title 14, Sections 314 and 318 so as to redefine murder in the first degree, to eliminate the provision thereof giving the jury authority in its discretion to sentence the defendant in a murder case to death, to provide further for mandatory death sentence in certain murder cases, and to provide for and regulate automatic review by the board of pardons and paroles of all murder cases in which the defendant is sentenced to death after all judicial review of such cases and for the recommendation by said board of pardons and paroles to the Governor for the commutation of such sentences when certain mitigating circumstances surround the case.

McDOWELL LEE,
Secretary.

Mr. Robertson offered the following substitute to the bill, H. 1304:

A BILL TO BE ENTITLED AN ACT

To provide for a sentence of death or life imprisonment without parole in certain aggravated offenses; to prescribe the manner of charging and sen-

tencing in such cases and to eliminate lesser included offenses in such cases; to limit the maximum punishment in all other cases to life imprisonment; to provide for an effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Except in cases enumerated and described in Section 2 herein, neither a court nor a jury shall fix the punishment for the commission of treason, felony, or other offenses at death, and the death penalty or a life sentence without parole shall be fixed as punishment only in the cases and in the manner herein enumerated and described in Section 2 of this Act. In all cases where no aggravated circumstances enumerated in Section 2 are expressly averred in the indictment, the trial shall proceed as now provided by law, except that the death penalty or life imprisonment without parole shall not be given, and the indictment shall include all lesser offenses.

Section 2. If the jury finds the Defendant guilty, they shall fix the punishment at death when the Defendant is charged by indictment with any of the following offenses and with aggravation which must also be averred in the indictment, and which offenses so charged with such aggravation shall not include any lesser offenses:

(a) Kidnapping for ransom or attempts thereof, when the victim is killed.

(b) Robbery or attempts thereof when the victim is killed.

(c) Rape when the victim is killed; carnal knowledge of a girl under 12 years of age, or abuse of such girl in an attempt to have carnal knowledge, when the victim is killed.

(d) Nighttime burglary of an occupied dwelling when any of the occupants is killed.

(e) The unlawful killing of any police officer, sheriff, deputy, state trooper, or peace officer of any kind, or prison or jail guard, while such prison or jail guard is on duty, or because of some official or job-related act or performance of such officer or guard.

(f) Any unlawful homicide committed while the Defendant is under sentence of life imprisonment.

(g) Murder in the first degree when the killing was done for a pecuniary or other valuable consideration, or pursuant to a contract or for hire.

(h) Indecent molestation, or attempt to indecently molest a child under the age of 16 years, when the child victim is killed.

(i) Wilful setting off or exploding dynamite or other explosive under circumstances now punishable by Title 14, Section 123 or 124, Code of Alabama 1940, when a person is killed because of said explosion.

(j) Murder in the first degree wherein two or more human beings are killed by one or a series of acts.

(k) Murder in the first degree where the victim is a public official or public figure, and the murder stems from or is caused by or related to his official position, acts, or capacity.

(l) Murder in the first degree committed while Defendant is engaged or participating in the act of unlawfully assuming control of any aircraft by use of threats or force with intent to obtain any valuable consideration for the release of said aircraft or any passenger or crewman thereon, or to direct the route or movement of said aircraft, or otherwise exert control over said aircraft.

(m) Any unlawful homicide, except manslaughter in the second degree, committed by a Defendant who has been convicted of murder in the first or second degree in the twenty years preceding the crime.

In such cases, if the jury finds the Defendant not guilty, the Defendant must be discharged. The court may enter a judgment of mistrial upon failure of the jury to agree on a verdict of guilty or not guilty or on the fixing of the penalty of death. After entry of a judgment of mistrial, the Defendant may be tried again for the aggravated offense, or he may be re-indicted for an offense wherein the indictment does not allege an aggravated circumstance. If the Defendant is re-indicted for an offense wherein the indictment does not allege an aggravated circumstance, the punishment upon conviction shall be as heretofore or hereafter provided by law, however the punishment shall not be death or life imprisonment without parole.

Section 3. If the jury finds the Defendant guilty of one of the aggravated offenses listed in Section 2 hereof and fixes the punishment at death, the court shall thereupon hold a hearing to aid the court to determine whether or not the court will sentence Defendant to death or to life imprisonment without parole. In the hearing evidence may be presented as to any matter that the court deems relevant to sentence, and shall include any matters relating to any of the aggravating or mitigating circumstances enumerated in Sections 6 and 7 of this Act. Any such evidence which the court deems to have probative value may be received, regardless of its admissibility under the exclusionary rules of evidence, provided that the Defendant is accorded a fair opportunity to rebut any hearsay statements; and further provided that this section shall not be construed to authorize the introduction of any evidence secured in violation of the Constitution of the United States or of the State of Alabama. The State and the Defendant, or his counsel, shall be permitted to present argument for or against the sentence of death.

Section 4. After any sentence of death has been imposed, there shall be an automatic review of that sentence by the board of pardons and paroles of the State of Alabama, following all other judicial review of the case. The board of pardons and paroles by unanimous vote, shall have the authority to make recommendations to the Governor relative to the commutation of the defendant's sentence of death to life imprisonment on consideration of the aggravating or mitigating circumstances.

Section 5. Aggravating circumstances. Aggravating circumstances shall be the following:

(a) The capital felony was committed by a person under sentence of imprisonment;

(b) The Defendant was previously convicted of another capital felony or a felony involving the use or threat of violence to the person;

(c) The Defendant knowingly created a great risk of death to many persons;

REGULAR SESSION
29th Day

3383

(d) The capital felony was committed while the Defendant was engaged or was an accomplice in the commission of, or an attempt to commit, or flight after committing, or attempting to commit, rape, robbery, burglary, or kidnapping for ransom;

(e) The capital felony was committed for the purpose of avoiding or preventing a lawful arrest or effecting an escape from custody.

(f) The capital felony was committed for pecuniary gain;

(g) The capital felony was committed to disrupt or hinder the lawful exercise of any governmental function or the enforcement of laws;

(h) The capital felony was especially heinous, atrocious or cruel.

Section 6. Mitigating circumstances. Mitigating circumstances shall be the following:

(a) The Defendant has no significant history of prior criminal activity;

(b) The capital felony was committed while the Defendant was under the influence of extreme mental or emotional disturbance;

(c) The victim was a participant in the Defendant's conduct or consented to the act;

(d) The Defendant was an accomplice in the capital felony committed by another person and his participation was relatively minor;

(e) The Defendant acted under extreme duress or under the substantial domination of another person;

(f) The capacity of the Defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law was substantially impaired;

(g) The age of the Defendant at the time of the crime.

Section 7. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law, and shall be effective and applicable to all offenses committed after the date of its becoming a law.

And the substitute was adopted.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker	Boles	Crawford	Easters
Adams	Brassell	Cross	Edwards
Adwell	Burgess	Crowe	Ellis
Agee	Carnes	Culver	Flippo
Bank	Carter	Dill	Gafford
Barkett	Casey	Doss	Goodwin
Bassett	Chesnut	Downing	Grainger
Benton	Cottingham	Drake	Grey (D)

29th Day

Hearn	McDonald	Pruitt	Timmons
Hill	McMillan	Reynolds	Turner
Hobbie	Manley	Roberts	Waggoner
Hughes	May	Robertson	Waldrop
Jackson	Meeks	St. John	Wallace
King	Merrill	Slate	Warren
Kinsey	Namamore	Smith (K)	Weeks
Lang	Nettles	Snell	Williams
Lutz	Owens	Stewart	Wise
McCluskey	Parker	Stokes	Wynot
McCorquodale	Porter	Therrell	

—75

Nay: Mr. McNair.

—1

Mr. Slate offered the following amendment to the bill, H. 1304 as amended:

Section 2 (e) is hereby amended to read as follows:

"The unlawful killing of any police officer, sheriff, deputy, state trooper, or peace officer of any kind, or prison or jail guard or corrections official, officer or employee, while such person is on duty, or because of some official or job-related act or performance of such person."

And the amendment was adopted.

Yeas 81; Nays 2.

Yeas:

Mr. Speaker	Crowe	King	Roberts
Adams	Culver	Kinsey	Robertson
Adwell	Dill	Lang	St. John
Agee	Doss	Lutz	Slate
Bank	Downing	McCluskey	Smith (K)
Barkett	Drake	McCorquodale	Snell
Bassett	Easters	McDonald	Stewart
Benton	Edwards	McMillan	Stokes
Boles	Ellis	Manley	Therrell
Boutwell	Flippo	Mathews	Timmons
Brassell	Gafford	May	Turner
Burgess	Goodwin	Meeks	Turnham
Carnes	Grainger	Merrill	Waggoner
Carter	Grey (D)	Namamore	Waldrop
Casey	Harris	Nettles	Wallace
Cauthen	Hearn	Owens	Warren
Chesnut	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—81

Nays: Messrs. Gray (F) and McNair.

—2

And the bill:

H. 1304. To provide for a sentence of death or life imprisonment without parole in certain aggravated offenses; to prescribe the manner of charging and sentencing in such cases and to eliminate lesser included offenses in such cases; to limit the maximum punishment in all other cases to life imprisonment; to provide for an effective date of this act.

REGULAR SESSION
29th Day

3385

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 4.

Yeas:

Mr. Speaker	Cross	Jackson	Roberts
Adams	Crowe	King	Robertson
Adwell	Culver	Kinsey	St. John
Agee	Dill	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Snell
Bassett	Easters	McCorquodale	Stewart
Boles	Edwards	McDonald	Stokes
Brassell	Ellis	McMillan	Therrell
Burgess	Flippo	Manley	Timmons
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Naramore	Waggoner
Cauthen	Grey (D)	Nettles	Warren
Chesnut	Harris	Owens	Weeks
Connell	Hearn	Parker	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reynolds	Wynot

—76

Nays:

Messrs.:	Gray (F)	McNair	Reed (T)
Benton			

—4

UNANIMOUS CONSENT GRANTED

At the request of Mr. Cottingham, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1304.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Slate:

H. J. R. 188. COMMENDING REPRESENTATIVE ED ROBERTSON BY NAMING HOUSE BILL 1304 THE "ROBERTSON ACT."

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That House Bill 1304, as amended or substituted, shall be known after passage as the "Robertson Act" in recognition of the diligent efforts of Representative Ed Robertson.

On motion of Mr. Slate, the rules were suspended and the resolution, H. J. R. 188, was adopted.

Also:

By Mr. Lang:

H. J. R. 189. CONTINUING WORK OF FIRE ANT STUDY COMMISSION ESTABLISHED BY H. J. R. 75, ACT NO. 264, THIRD SPECIAL SESSION OF THE 1971 LEGISLATURE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint committee established pursuant to H. J. R. 75, Act No. 264, Third Special Session of the 1971 Legislature, shall continue in existence and shall continue its work as directed in said Act No. 264. The committee shall make a report to the Legislature before the 10th legislative day of the next regular session.

BE IT FURTHER RESOLVED, That the committee shall have the same membership, composed of two Senators appointed by the Lieutenant Governor and three Representatives appointed by the Speaker of the House, to study the continuing problem of fire ants in Alabama; that the members of the Fire Ant Study Commission shall select a chairman and a vice-chairman from among their number; that they shall meet from time to time during the interim between regular sessions; that each member of the committee shall be entitled to his regular legislative compensation and an allowance for each day that he attends a meeting of the committee; and that the committee may employ such assistance as is necessary for the performance of its duties.

BE IT FURTHER RESOLVED, That the compensation and expenses of the committee and its staff, not to exceed the sum of \$5,000.00 altogether shall be paid out of funds appropriated to the use of the Legislature, on warrants drawn on the State Comptroller upon requisitions signed by the committee's chairman.

The resolution, H. J. R. 189, was read and referred to the Standing Committee on Rules.

MOTION TO RECONSIDER ADOPTED

Having previously filed a Motion in Writing and having voted on the prevailing side, Mr. Hill moved to reconsider the vote by which the bill, H. 756, was passed, and the motion was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dill	Kinsey	Robertson
Adams	Doss	Lang	St. John
Barkett	Downing	Lutz	Smith (K)
Barron	Drake	McCluskey	Smith (P)
Bassett	Easters	McDonald	Snell
Benton	Edwards	McMillan	Stewart
Boles	Ellis	McNair	Stokes
Boutwell	Fite	Manley	Taylor
Brassell	Goodwin	Mathews	Therrell
Burgess	Grainger	May	Turner
Carnes	Gray (F)	Meeks	Turnham
Carter	Grey (D)	Merrill	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Harris	Nettles	Wallace
Chesnut	Hearn	Owens	Warren
Connell	Hill	Porter	Weeks
Coshatt	Hobbie	Reed (T)	Williams
Cottingham	Hughes	Reid (R)	Wise
Crawford	Jones (F)	Reynolds	Wood
Cross	King	Roberts	Wynot
Crowe			

And the bill:

H. 756. To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the transfer of control of residential foster care facilities, and youths; to provide for the appointment of a State Youth Services Director, and to prescribe the powers and duties of the said Director; to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said department of the said board; and to prescribe penalties for the violations of this Act.

Was again taken up.

Mr. Hill offered the following substitute to the bill:

**A BILL
TO BE ENTITLED
AN ACT**

To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the appointment of a State Youth Services Director, and to prescribe the powers, duties, and qualifications of the said Director; to transfer control of the state training schools to the department; to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said department of the said board; and to prescribe penalties for the violation of this Act.

Be It Enacted by the Legislature of Alabama.

Section 1. PURPOSE.

The purpose of this Act is to promote and safeguard the social well-being and general welfare of the youth of the state through a comprehensive and coordinated program of public services for the prevention of juvenile delinquency and the rehabilitation of delinquent youth. This State program shall provide the following: social and educational services and facilities for any youth whom a juvenile judge deems in need of such state services; the establishment of standards for social and educational services and facilities for such youth; cooperation with public and voluntary agencies, organizations, and citizen groups in the development and coordination of programs and activities directed toward the prevention, control and treatment of delinquency; the promotion and improvement of community conditions, programs, and resources to aid parents in discharging their responsibilities for the care, devel-

opment and well-being of their children; and the promotion of improved communications between the public and voluntary agencies and bodies of this state responsible for said youth, and the juvenile courts of this state.

Section 2. DEFINITIONS.

The following terms, wherever used in this Act, shall have the following respective meanings unless the content thereof clearly indicates otherwise:

(a) "Aftercare" means a youth is released by the Department from a state training school operated by the Department wherein the Department releases legal custody, supervision, and the right to return until further order of the juvenile court. Aftercare means a legal status created by order of the committing court at the time of release from a state training school whereby a youth is permitted to return to the community subject to supervision by the court or any agency designated by the court and subject to return to the court at any time during the aftercare period.

(b) "Board" means the Alabama Youth Services Board.

(c) "Board member" means any member of the Alabama Youth Services Board.

(d) "Committed youth" means any youth committed to the legal custody of the department upon a finding of delinquency and a finding by a juvenile judge that said youth is in need of care/treatment in a state training school; provided that it shall not include any youth so committed upon a finding of neglect or dependency.

(e) "Department" means the Department of Youth Services established herein.

(f) "Detention" or "detention care" means temporary care in a detention facility.

(g) "Detention facility" means a facility, other than a jail, affording secure custody for children and youths as licensed by the department.

(h) "Director" means the Alabama Youth Services Director.

(i) "Discharge" means a complete release of a committed youth by the department without further supervision.

(j) "Foster care facility" or "group home" means any place providing care for one or more youths alleged or adjudicated delinquent, exclusive of the state training schools.

(k) "Guardian" means any parent who has legal custody of the person or property of a youth or a person or agency who has custody of the person or property of the said youth pursuant to a court order.

(l) "Juvenile court" means any court established pursuant to the provisions of Title 13 of the Code of Alabama of 1940, as amended, and including any court established by local act of the Legislature of Alabama which exercises juvenile court functions in any county in the state.

(m) "Juvenile Court Act" or "Juvenile Code" means Chapter 7 of Title 13 of the Code of Alabama of 1940, as amended.

(n) "Legal custody" means a legal status created by a court order embodying the following rights and responsibilities: the right to have physical possession of the youth; the right and the duty to protect, train and discipline him; the responsibility to provide him with food, clothing, shelter, education, and medical, dental and hospital care; and the right to determine where and with whom he shall reside.

(o) "Maintenance" means all general expenses for care such as food, clothing, shelter, education, and medical, dental and hospital care, transportation, and other necessary or incidental expenses or money payments therefor.

(p) "Probation" means a legal status created by a court order following adjudication in a delinquency case whereby a youth is permitted to remain in the community, subject to supervision by the court or any agency designated by the court and subject to return to the court at any time during the probation period.

(q) "Probation services" means: (1) the making of investigations, reports, and recommendations to the court as directed by the State Code; (2) the receiving and examining of complaints and charges of delinquency for the purpose of considering the commencement of proceedings under the State Code; (3) the supervision of a child placed on probation by order of the court; (4) the supervision of a child placed on aftercare by order of the court; (5) the making of appropriate referrals to other private or public agencies of the community, if their assistance appears to be needed or desirable; (6) the taking into custody and detaining of a youth who is under the supervision and care of the department as a delinquent where there is reasonable cause to believe that the youth's health, or safety, or that of another is in imminent danger, or that he may abscond or be moved from the jurisdiction of the court, or when ordered by the court pursuant to the juvenile code; and (7) the performing of all other functions designated by the juvenile code or by order of the court pursuant thereto.

(r) "State" means the State of Alabama.

(s) "Training school" means an institution operated by the Department for the rehabilitation of delinquent youth.

(t) "Youth" means any person who has not reached his sixteenth birthday for whom a petition has been filed alleging delinquency based on actions the said person is alleged to have committed before his sixteenth birthday, or as provided by law relating to local or state jurisdiction, and for the purpose of continuing to provide service only, any person under the age of twenty-one who is already on probation or in aftercare or in the legal custody of the department.

(u) "Youth Services" means the duties and functions which are authorized or required by this Act to be provided by the department with respect to the establishment and enforcement of standards of treatment for youths.

Section 3. CREATION AND COMPOSITION OF DEPARTMENT.

There is hereby created and established a department of the state to be known as the Department of Youth Services. The department shall be composed of the board, the director, and such divisions and administrative sections as the board may establish. The principal offices of the department shall

be located at the state capital. The department shall have the powers and duties and shall perform the functions hereinafter prescribed.

Section 4. CREATION OF BOARD.

There is hereby created and established the Alabama Youth Services Board. The principal offices of the board shall be located at the state capital. The board shall have the powers and duties and shall perform the functions hereinafter described.

Section 5. MEMBERS, OFFICERS AND PROCEEDINGS OF THE BOARD.

The Governor shall be the ex-officio chairman of the board. The board shall be composed of sixteen (16) voting members, five of whom shall be the Commissioner of the State Department of Pensions and Security, the State Superintendent of Education, the Commissioner of the State Department of Mental Health, and the State Health Officer, and the Director of the Alabama Law Enforcement Planning Agency, each of whom may delegate his/her vote to any agent/employee of the said agencies by written notification ten days prior to a meeting of the board. The chairman, vice-chairman and secretary of the board shall be elected by the members thereof. The chairman shall vote only in the case of a tie. The Speaker of the Alabama House of Representatives shall appoint one member to be selected from the membership of said House who has demonstrated some interest in the field of juvenile delinquency prevention and treatment, and the presiding officer of the Alabama Senate shall appoint one member to be selected from the membership of said Senate who has demonstrated some interest in the field of juvenile delinquency prevention and interest. The president of the Alabama Council of Juvenile Court Judges shall appoint one member to be selected from the membership of said council. The chairman of the Alabama Chief Probation Officers Association shall appoint one member to be selected from the membership of said Association. The Governor shall appoint the remaining seven (7) members of the Board, as representatives of the public, one such member to be selected from each of the congressional districts of the state as they existed on January 19, 1972. The term of each member representative of the public appointed by the Governor shall be determined by lot at the first meeting of the board following the effective date of this Act. Two of such members shall serve five-year terms, two shall serve two year terms, and one each shall serve three, four, and six year terms, respectively. Thereafter the term of any such member representative of the public shall be six years. The terms of office of the appointed legislative members shall be for the duration of their respective elected terms of office to the Senate or House of Representatives. The term of office of the member representative of the Alabama Council of Juvenile Court Judges and the member representative of the Chief Probation Officers Association shall be for six years. If any appointed legislative member should die, cease to be a member of the Legislature or resign from the board, such vacancy shall be filled by the Speaker of the House or presiding officer of the Senate, such member to be selected from the respective legislative body. If the appointed juvenile court judge should die, cease to be a juvenile court judge or resign from the board, the President of the Alabama Council of Juvenile Court Judges shall appoint a successor for the unexpired term of such a member. If the appointed chief probation officer should die, cease to be a probation officer or resign from the board, the Chairman of the Alabama Chief Probation Officers Association shall appoint a successor for the unexpired term of such a member. If a

vacancy occurs in the appointed membership, upon certification thereof by the board, the Governor shall appoint a person to fill the vacancy for the unexpired term of said member. Any nine (9) members of the board shall constitute a quorum thereof for the transaction of business. If any person holding any state office named in this section should cease to hold such office by reason of death, resignation, expiration of term of office, or for any other reason, then his successor in office shall take his place as a member of the board. No member of the board shall draw any salary in addition to that now authorized by law for any service he may render or for any deed he may perform in connection with the board. The member representative of the Alabama Council of Juvenile Court Judges, the member representative of the Alabama Chief Probation Officers Association and each member representative of the public shall receive twenty-five dollars (\$25.00) per day and mileage expense at the state rate of mileage reimbursement while attending meetings of the board or while engaged in other official duties at the request of the board. The legislative members shall receive their regular legislative compensation and mileage when actively engaged in board business. All proceedings of the board shall be reduced to writing by the secretary of the board, shall be signed by at least six members of the board, and shall be recorded in a substantially bound book and filed in the office of the secretary who shall be the custodian of the records of the board. Copies of such proceedings, when certified by the secretary of the board shall be received in all courts as prima facie evidence of the matters and things therein set forth.

Section 6. POWERS OF THE BOARD.

The board shall have the following powers: (a) to appoint the director and to fix his salary; (b) to institute and defend legal proceedings in any court of competent jurisdiction and proper venue; (c) to contract with any state or federal agency or any other state, or with any private person, organization, or entity or any combination thereof capable of contracting, if it finds such act to be in the public interest.

Section 7. TRANSFER OF CONTROL OF STATE TRAINING SCHOOLS.

As soon as practicable after the board takes office, it shall establish a plan for the transfer of control of the Alabama Boys Industrial School, the Alabama Training School for Girls, and the Alabama Industrial School from their respective boards of trustees. Such transfer shall be effective as soon as practicable and feasible and not later than October 1, 1975. Upon completion of the transfer of such control, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Training School for Girls, and the Board of Trustees of the Alabama Industrial School shall be abolished. All duties, responsibilities, authority, power, assets, appropriations, liabilities, contractual rights and obligations, and property rights, whether accruing or vesting in the aforementioned institutions before or after the effective date of this Act, shall be vested in the board on the effective date of transfer of functions; provided, however, that it is the intention of the Legislature that out of moneys available to the board the first priority shall be given to insuring that the services provided by and the financial resources available to the Alabama Boys Industrial School, the Alabama Training School for Girls, and the Alabama Industrial School shall be maintained at least at the present level. On the date of transfer of responsibility provided for herein, all youths in the custody of our committed to the Alabama Boys Industrial School, the Alabama Training School for Girls, and the Alabama Industrial

School, shall be transferred to the legal custody of the department. The department shall establish separate advisory boards for the Alabama Boys Industrial School, the Alabama Training School for Girls, and the Alabama Industrial School. Any regulation of the aforementioned institutions shall be made a regulation of the department on the date of transfer of responsibility and shall continue in force until repealed or amended by the board. Employees of the Alabama Boys Industrial School, the Alabama Training School for Girls, and the Alabama Industrial School holding positions on the date of transfer shall become employees of the department on the date of such transfer. Such employees of the above-mentioned institutions shall continue to enjoy employment conditions, including salary, housing, and office arrangements, at a level no less than those enjoyed prior to transfer to the department. Any reference to any one or more of the said institutions contained in the Code of Alabama of 1940, as amended, or in any act of the Legislature of Alabama, shall, unless the context clearly requires a different meaning, be construed to mean the department.

Section 8. PROVISIONS FOR JUVENILE COURT PROBATION OFFICERS.

The Department shall provide salary subsidies for probation services to all Alabama counties. The Department shall expend funds to match at least half of the probation officers' salaries according to the following formula. At a minimum, each county will receive funding for one juvenile probation officer per 20,000 population or fraction thereof. The Department shall use the last federal decennial census for these determinations. The various counties shall provide the necessary matching funds for these subsidies. If there are counties of under 30,000 population which do not provide matching funds, the Department is authorized at its discretion to fully subsidize one probation officer per such county.

The Department shall establish and promulgate reasonable minimum standards for certification of juvenile probation officers. Any person serving as a juvenile probation officer as of the date of passage of this Act shall be considered to meet the requirements of the Department. The existing level of state support for county juvenile probation officers employed by counties as of the date of passage of this Act shall not be reduced. Any funds heretofore or hereafter appropriated for the purpose of carrying out the provisions of Act No. 880 of the 1965 Regular Session are hereby transferred to the Department hereby created; and all such funds shall be used by such Department for providing matching funds for salaries of juvenile probation officers. All funds expended by the Department will be contingent upon the recipients of said funds meeting the standards established by the Department.

The responsibilities of the Department of Pensions and Security exercised pursuant to law relating to probation, parole, and foster care services to a minor who is an adjudicated delinquent shall cease effective January 1, 1976; it being the intention of the Legislature that these functions shall be performed by the Department of Youth Services. Any responsibilities of the Department of Pensions and Security relating to probation services to a court when a petition alleging delinquency has been filed, shall cease effective January 1, 1976. Provided, however, that the authority of the Department of Pensions and Security to continue to give services and provide foster care for a child who is dependent, neglected, or under insufficient guardianship shall continue. Provided further that the Department of Pensions and Security, if

appointed by a court of competent jurisdiction, shall perform the functions of a probation officer of the court in cases involving children who are dependent, neglected, under insufficient guardianship, and otherwise handicapped children.

Section 9. PROVISION FOR STANDARDS, LICENSING, INSPECTION, CONSULTATION, TRAINING AND SUBSIDIES TO COUNTIES.

The Department is authorized and directed to establish and promulgate reasonable minimum standards for the construction and operation of detention facilities, programs for the prevention and correction of youth delinquency, in-service training for probation officers, consultation from local officials and subsidies to local delinquency projects. The said standards shall include, but not be limited to, reasonable minimum standards for detention facilities, foster care facilities, group homes, correctional institutions, and aftercare services.

On or after January 1, 1974, no county or city in the state or any public or private agency, group, corporation, partnership, or individual shall establish, maintain, or operate any detention facility or any foster care facility for youths found delinquent by a juvenile court, without a license from the Department. A license shall be required on an annual basis, or as determined by the Department. The Department shall revoke the license of any city, county, or public or private agency, group, corporation, or individual conducting, operating, or acting as a detention facility, or foster care facility caring for children and youths alleged or adjudged to be delinquent, that fails to meet the standards prescribed by the Department. The Department is authorized to visit and inspect any public or voluntary detention facility, foster care facility or group home as it deems necessary.

The Department is authorized to develop standards for probation and aftercare services. The Department shall provide consultation upon request by the juvenile court judges and staffs of the county administered programs as to the standards for probation and aftercare services, and conduct in-service training to aid in the development of services which are in accord with the standards.

Section 10. PROVISION FOR YOUTH DETENTION FACILITIES AND SUBSIDIES.

The functions and facilities related to youth detention facilities, licensed by the Department or previously licensed by the State Department of Pensions and Security, of each county or counties acting together may, upon the express written agreement of each such county or such counties acting together, and the Department, receive funds from the Department according to formulae for disbursement established by the Department and in accordance with the terms of written agreements between each such county, or such counties acting together, and the Department relative to detention care. Any county, or counties acting together, shall retain control of such detention functions and detention facilities, and shall continue to have financial responsibility for their operation, unless otherwise provided for by the Department. All detention programs and facilities shall maintain standards prescribed by the Department. All funds expended by the Department will be contingent upon the recipients of said funds meeting the standards established by the Department.

Section 11. THE STATE YOUTH SERVICES DIRECTOR; DUTIES, POWERS, QUALIFICATIONS.

The director shall have the following powers and duties: (a) subject to the provisions of the state merit system, to appoint all officers and employees of the Department, or to authorize any superintendent, division or bureau head, or other administrator to select with his approval all staff members and employees; (b) to exercise supervision over all the officers and employees of the Department, and should any such officer or employee fail to perform faithfully any of the duties which are lawfully prescribed for him, or if he fails or refuses to observe or conform to any rule, regulation, or policy of the board, to remove him from office, in conformity with the state merit system law; (c) to make agreements with the heads of other executive departments of the state providing for the coordination of the functions of the various departments of the state; and the director shall also serve as the Administrator of the Interstate Compact on Juveniles hereinafter referred to.

The Director to be employed shall have at a minimum a master's degree in Behavioral or Social Science or related field from an accredited school and shall have at least six (6) years experience in the field of services to children and youth, with at least three (3) years of that experience being in the field of juvenile delinquency services. The last three years of such experience must have been in an administrative and/or management position with demonstrated competence as indicated by promotion or other indications of responsibility. The director may be removed from office by a vote of nine members of the board for reasons fully set forth in the minutes of the meeting at which such removal takes place.

Section 12. DEVELOPMENT OF DEPARTMENT PROGRAM.

As soon as practical after the effective date of this Act, the Department shall proceed to develop a workable program of youth services as follows: (a) to collect statistics, information, and data concerning the need for and condition of rehabilitative services to delinquent youth throughout the state; (b) to disseminate information to the public and to appropriate public and private agencies and organizations within the state on the conditions and needs thus ascertained; (c) to serve in a consultative and licensing capacity and develop materials and standards concerning delinquent youth within the state; (d) to enlist the participation of citizens and representatives of other agencies and organizations in the planning and development throughout the state of an adequate youth services program as provided for in this Act; (e) to cooperate with and assist other public and voluntary agencies and organizations in the development and coordination of programs and activities for youths, particularly those programs and activities which contribute to the prevention or treatment of delinquency; (f) to collaborate with others in the establishment of state-wide and local planning bodies, or to assist and cooperate with any such existing bodies which are concerned with promoting the physical, mental, emotional, and social well-being of youths; (g) to assist local communities in making surveys of conditions contributing to delinquency and of the facilities and services provided to rehabilitate committed youths; and (h) to prescribe and furnish uniform procedures and forms for all law enforcement agencies and court clerks to use in reporting contacts with youths.

Section 13. DUTIES AND FUNCTIONS OF DEPARTMENT.

As soon as practical after the effective date of this Act, the Department shall have the following duties and functions: (a) to provide services for

youths who have run away from their own communities in this state, or from their home communities in other states to this state, and to provide such services, care, or cost for such youths as may be required pursuant to the provisions of Act No. 675 adopted at the 1965 Regular Session of the Legislature of Alabama (hereinafter "Interstate Compact on Juveniles"); (b) to provide for the expansion of local detention care for youths alleged to be delinquent pending court hearing; (c) to encourage the expansion of juvenile probation services to youths alleged or adjudged to be delinquent; (c) to establish and promulgate reasonable minimum standards for juvenile probation services; (d) to establish and promulgate reasonable minimum standards for juvenile probation officers and certify any applicant meeting such standards for the position of juvenile probation officer; (f) to secure the provision of medical, hospital, psychiatric, surgical, or dental service, or payment of the cost of such services as may be needed for committed youths; (f) to license and subsidize foster care facilities or group homes for youths alleged to be delinquent pending hearing before a juvenile court or adjudged delinquent following such hearing, including detention, examination, study, care, treatment and training; (g) to establish, maintain and subsidize programs to train employees of the Department, juvenile courts, and law enforcement personnel in such subject matters and techniques as may be necessary to assure efficient and effective administration of such services in accordance with the purpose of this Act; (h) to make and enforce all rules and regulations which are necessary and appropriate to the proper accomplishment of the duties and functions vested in the Department by law with respect to youth services and which do not conflict with or exceed the provisions of law vesting such duties and functions in the Department.

Section 14. ADDITIONAL POWERS OF THE DEPARTMENT.

The Department is hereby given the following additional and cumulative powers: (a) to enter into contracts with any other state or federal agency, or with any private person, organization or group capable of contracting, if it finds such action to be in the public interest; (b) upon approval of the Attorney General of the state, to file and prosecute suits in any court in the name of the Department to enforce the provisions of this Act and to enforce such rules and regulations as may be duly promulgated under the provisions of this Act; such suits may include actions for an injunction to restrain any person, agency, or organization from violating any provision of this Act or any rule or regulation duly promulgated under the provisions of his Act; (d) to accept gifts, trusts, bequests, grants, endowments, or transfers of property of any kind and prudently to manage such property in accordance with sound financial principles; (e) to prescribe for and furnish forms to clerks of probate and juvenile courts for use in connection with any action to be taken under the provisions of this Act; (f) to enter into reciprocal agreements with appropriate agencies of other states relative to youth services programs; and (g) to engage in research in the field of youth services, to enter into contracts with public or voluntary organizations including educational institutions, and with individuals, for the purpose of securing such research and to make provisions for any pay grants to such organizations or individuals in accordance with the rules of the Department, as may be necessary to secure the performance of such research.

The employees of the Department shall be governed by the personnel merit system rules and regulations of the State Personnel Department. Employees of institutions and agencies which are transferred to the Department

under the provisions of this Act, who have been so employed for six months immediately preceding such date shall remain in their respective employments, and shall be considered to meet the requirements of the Department in terms of training and experience; but nothing herein shall be construed to prevent or preclude the removal of an employee for cause in the manner provided by law.

Section 15. ADDITIONAL POWERS OF THE BOARD.

The board is hereby given the following additional and cumulative powers: (a) to establish and promulgate reasonable rules, policies, orders, and regulations for the carrying out of its duties and responsibilities; (b) to purchase or lease land or to acquire property by eminent domain and to purchase, lease, let, sell, exchange, or otherwise transfer property, land, or buildings in order to carry out its duties and responsibilities under the provisions of this Act; and (c) to hold such meetings as are convenient and necessary, which shall be at least annually, to carry out its duties and responsibilities at such place or places within the state as it may direct, and a quorum consisting of any nine members of the board shall be competent to act at all regular or special meetings. Special meetings may be called by the Chairman of the board or by any three members of the board upon one week's written notice to every member of the board, which notice shall state the purpose of the meeting.

Section 16. LEGAL DIVISION.

The director shall be authorized, subject to the provisions of the state merit system law, to appoint legal counsel for the Department. Such counsel shall be commissioned as assistant attorney generals except that they shall devote their entire time to the business of the Department. Salaries for such counsel will be paid by the Department.

Section 17. COURT REVIEW.

Any person aggrieved by any final order or decision of the board may have a review of such order or decision in the Circuit Court of Montgomery County, provided a sworn bill is filed within fifteen (15) days of the date of such order or decision, charging that such order or decision was arbitrary, illegal or capricious. The review granted by this section shall be cumulative with that provided elsewhere in the laws of Alabama.

Section 18. REPORT TO THE GOVERNOR.

As soon after the end of a fiscal year as practicable the board shall print and send to the Governor of Alabama a report to include the activities of the board, the need for facilities under its jurisdiction, juvenile service conditions in the state, plans for the future, financial reports for the preceding year, and the names and addresses of the members of the board. A sufficient number of copies of such report shall be printed and distributed to the members of the Legislature of Alabama.

Section 19. BUDGET.

Each biennium the board shall present to the Governor a request for funds based on projected needs for juvenile services in the state, together with a budget showing proposed expenditures; and the Governor shall include in his appropriation bill a request for funds to meet the reasonable financial needs of the Department.

Section 20. COMPETITIVE BIDS.

Any purchase and any construction or supply contract of the Department in an amount in excess of (\$500) shall be made or let by competitive bids through the state purchasing agent or otherwise, as the board may direct. No purchases, except for rights of way, shall be made from nor shall any sales be made to any member of the legislature, any member of the board, any employee of the Department, or any other person holding an office of the state.

Section 21. STUDY AND EVALUATION OF YOUTH.

When the legal custody of a youth has been vested in the Department by order of the juvenile judge, the Department shall, under rules established by it, study and evaluate such youth and investigate all pertinent circumstances of his behavior and life in order to prepare a service plan while he/she is detained in the state training schools. Data concerning such youth secured in any previous study and evaluation undertaken under this Act may be utilized by the Department in lieu of or in supplementation of a new study and evaluation. The police authorities, the school authorities, and other public officials and agencies of the state or any county or municipality in the state, shall upon the request of the Department promptly make available to the Department all pertinent information in their possession with respect to a youth whose custody is vested in the Department; provided, however, that this subsection shall not require any disclosure which would be inconsistent with the requirements of any federal statute or regulation under which grants are made to the state or any state law. The Department shall make available its findings pursuant to this section to any juvenile court in the state.

Section 22. GUARDIANSHIP OF YOUTH.

If at any time while legal custody of a youth is vested in the Department, the Department learns that he/she, for any reason, does not have a natural or adoptive parent in a position to exercise effective guardianship or a legally appointed guardian of his/her person, the Department may thereupon file a petition in the appropriate court for the appointment of a guardian of the person or property of such youth. No officer or employee of the Department shall accept appointment as the guardian of a youth, whose legal custody is vested in the Department.

Section 23. DETERMINATION OF SOCIAL SERVICE PLAN.

When legal custody of a youth has been vested in the Department and so long as such legal custody is so vested in the Department, the Department may, after an objective consideration of all available information, take one of the following social service actions: (a) the Department may place the youth in a State training school within the state, or in another state in accordance with the provisions of the Interstate Compact on Juveniles, under such conditions as it believes best designed for his welfare or the protection of the public; (b) the Department may release the youth to the jurisdiction of the committing court; (c) the Department may arrange temporary return or a trial visit of the youth to his own home, as often as conditions appear desirable; (d) the Department may revoke or modify any social service plan as often as conditions appear desirable.

The committing court shall be kept informed by the Department of the physical location of the youth at all times.

Section 21. AUTHORIZATION OF MEDICAL, PSYCHIATRIC, SURGICAL AND DENTAL TREATMENT.

The director or his delegate may authorize major surgery or medical treatment to be performed upon any committed youth or general anesthetic to be administered to a committed youth when it is deemed necessary by a licensed medical physician and approval by the parent or guardian is acquired. If such approval is not given or the parent or guardian is unavailable for two weeks, the director or his delegate may apply to the juvenile court in the county where the child is confined for an order to undertake such surgery or treatment. A ruling must be made within twenty-four hours by the said juvenile judge.

The director or his delegate may authorize major surgery or medical treatment to be performed upon any committed youth or general anesthetic to be administered to a committed youth when it is deemed an emergency situation where a child has suffered serious injury or is experiencing severe pain or his/her life is endangered and such judgment is made by a licensed medical physician. The director shall within forty-eight (48) hours notify in writing the juvenile court in the county where the child is confined and the parent or guardian of such action. A copy of the report shall be sent to the committing court.

Section 25. CONFINEMENT OF YOUTH BY DEPARTMENT IN ADULT PENAL INSTITUTIONS PROHIBITED.

The Department shall not have the power, by virtue of the vesting in it of the legal custody of a youth or of anything contained in this Act, to confine any youth in any adult jail or adult penal institutions now or hereafter established.

Section 26. REVIEW OF COMMITTED YOUTH.

The Department shall make a periodic review in the case of each youth whose legal custody is vested in the Department who has not been finally discharged. Such review shall be in the form of a written report to the committing court and shall include study of all pertinent circumstances of his personal and family situation and shall be for the purpose of determining whether existing decisions, orders and dispositions in his case should be modified or continued in force. Such review may be made as frequently as the Department deems necessary and shall be made with respect to every youth at least every nine (9) months. The Department shall review the case of each youth transferred to its control from another agency or department by virtue of the transfer of authority and responsibility of other agencies and departments provided for in this Act within six (6) months after custody is vested in the Department.

Section 27. DETENTION OF COMMITTED YOUTH WITHOUT ORDER OR WARRANT.

A committed youth who has been placed by the Department in any state training school and who has escaped or run away therefrom may be taken into custody without warrant or order of the director by a peace officer or employee designated by the Department. Any youth taken into custody, pursuant to this section, shall be detained in a suitable place designated by the Department until determination concerning his further care and treatment is made.

Section 28. PETITION FOR REVIEW BY THE DIRECTOR OR COURT.

In the event any committed youth has not been examined as provided in Section 21 of this Act or has not been reviewed within nine (9) months of a previous review as provided in Section 26 of this Act, such youth or his parent or guardian shall be entitled to petition the director for such examination or review and to have his petition given prompt consideration in accordance with appropriate rules established therefor. In the event such petition to the director has not been granted or where it has not been acted upon within thirty (30) days such youth or his parent or guardian shall be entitled to petition the committing court for such examination and review, and the same shall be granted. Pending the determination of such a petition by the court, the authority of the Department to take such action as it may deem necessary with respect to such youth shall in no way be affected.

Section 29. AFTERCARE, DISCHARGE, AND TERMINATION OF ORDER VESTING LEGAL CUSTODY IN DEPARTMENT.

In the event a committed youth shall be diagnosed in writing as mentally ill to the degree that said youth is unable to profit from the programs operated by the Department for the benefit of delinquent youth, the Department may petition the proper court for the commitment of the said youth to the state hospital for the mentally ill. The diagnosis must be made by a person who is legally and professionally qualified under the laws of Alabama to make such a diagnosis.

In the event a committed youth shall be diagnosed in writing as mentally retarded to the degree that said youth is unable to profit from the programs operated by the department for the benefit of delinquent youth, the Department may petition the proper court for the commitment of the said youth to the state hospital for the mentally retarded. The diagnosis must be made by a person who is legally and professionally qualified under the laws of Alabama to make such a diagnosis.

A committed youth shall be discharged who in the judgment of the director has gained optimal rehabilitation from the programs of the Department and will not be received again by the Department under the original commitment order.

A committed youth shall be released into aftercare when the Department determines that said youth is no longer in need of the services of the state training schools and can function within open society under the supervision of a probation officer in accordance with terms and conditions as established by the committing court. The Department shall notify the committing court in writing at least ten (10) days in advance of the release. Legal jurisdiction shall revert in the committing court and aftercare supervision will be undertaken at the court's direction. The committing court at the time of release into aftercare shall then invest custody in a party which the court deems suitable.

The committing court shall have jurisdiction to extend an order of commitment during the time of aftercare and to issue further orders in relation to the investment of legal custody in some other party until the youth reaches his twenty-first (21st) birthday only upon proper petitions being filed with the said court by a probation officer alleging all reasons for any aftercare ex-

tension or change of legal custody. A hearing shall be held in said juvenile court within ten (10) days after the filing of the petition to determine whether the youth's aftercare should be extended, for no more than six (6) months.

When a committed youth has fulfilled his period of commitment, he/she shall be discharged from the Department's custody and any recommitment to the Department must be based on a new offense and a new hearing.

In the event that a youth has not been discharged prior to the expiration of two (2) years from the date of the entry of the original commitment order, the Department must request either (a) the termination of the commitment order and the issuance of such other orders respecting the legal custody and continued supervision of the youth as may be warranted under the circumstances; or (b) the extension of the original order for a further specifically limited period of time, on the grounds that such extension is necessary for the welfare of the youth or for the public interest, such extension not to exceed the date upon which the youth will reach the age of twenty-one (21) years. There must be a hearing at which the youth and his/her parent, guardian or counsel are present. The committing court shall have jurisdiction until the youth reaches his twenty-first (21st) birthday to issue an extension of its original commitment order. If the Department does not act as prescribed in this paragraph, custody awarded by the commitment order is terminated and such order as regards such youth has no further force and effect after the expiration of two years.

Upon the youth's reaching his twenty-first birthday, custody awarded by the commitment order is terminated and such order as regards such person has no further force and effect.

Section 30. CLOTHING, MONEY AND TRANSPORTATION FURNISHED UPON RELEASE.

The department shall insure that each youth it releases from the state training schools has clothing, transportation to his home, or to the place at which a suitable home or employment has been found for him, and such an amount of money as the rules of the Department shall authorize.

Section 31. RECORDS OF EXAMINATIONS.

The Department shall keep adequate written records of all social studies and examinations and of the conclusions based thereon, and of all major decisions and orders concerning the disposition or treatment of every youth for whom the Department provided social services and care pursuant to this Act.

Section 32. USE OF RECORDS.

It shall be unlawful, except for purposes directly connected with the administration of this Act, or as herein provided, and in accordance with regulations of the Department, for any person or persons to solicit, disclose, receive, or make use of, or authorize, knowingly permit, participate in, or acquiesce in the use of any information concerning any youth for whom the Department provides social services or care in accordance with the provisions of this Act, and derived from the records, papers, files, or communications of the Department, or of any agency or facility utilized by the Department in providing services to any youth or acquired in the course of the performance of official duties.

Nothing contained in this section shall preclude the disclosure of information secured in the performance of functions under this Act upon order of the court which vested legal custody of the youth in the Department, in any one of the following circumstances: (a) in subsequent proceedings for delinquency involving the same youth; (b) to other youth care agencies which subsequently provide services to the said youth; (c) in any issue of custody before a court in which the court finds that such disclosure is necessary to protect the general welfare of the youth; (d) for research purposes where anonymity is preserved.

Section 33. REFERRAL FROM FEDERAL GOVERNMENT.

The Department is authorized to serve as an agent of the state in entering into agreements with any appropriate agency of the federal government to provide care and treatment for a youth found by a federal court to be delinquent and committed to the custody of the Attorney General of the United States. Such agreement shall be upon such terms and conditions and shall provide for such compensation as may be mutually agreed upon between the Department and the appropriate agency of the federal government. Funds received as compensation under such agreement shall be placed in the state treasury and are hereby appropriated for the use of the Department for carrying out the provisions of this Act.

Section 34. APPROPRIATION.

There are no new funds to be directly appropriated for the implementation of this statute. All monies appropriated to the Alabama Industrial School, Alabama Boys' Industrial School, and the Alabama State Training School for Girls from the Special Education Trust Funds, shall be used solely for the operations of these institutions.

Any funds heretofore or hereafter appropriated for the purpose of carrying out the provisions of Act No. 880 of the Regular Session of 1965 are hereby transferred to the Department of Youth Services to be used for the implementation of Sec. 8 of this Act and such other functions and duties as the Youth Services Board may determine are necessary and proper.

Section 35. PENALTIES.

Violations of the provisions of the Act shall be penalized or punished as follows: (a) any person, partnership, corporation, or association that violates the provisions of this Act or any regulations promulgated under the authority delegated to the board or to the director, after notice of such violation served upon such person, partnership, corporation or association by United States registered mail to the last known address thereof, shall be liable to pay to the Department a penalty of fifty dollars (\$50) per day for each day such violation continues after receipt of such notice; (b) and any person, group of persons, association or corporation who (i) conducts, operates, or acts as a foster care facility or detention facility without a license, or an approval to do so in violation of the provisions of this Act; (ii) makes materially false statements in order to obtain a license or permit; (iii) fails to keep the records and make the reports provided under this Act; (iv) advertises any service not authorized by license or permit held; (v) publishes any advertisement in violation of this Act; or (vi) violates any other provision of this Act or any reasonable rule or regulation adopted and published by the Department for the enforcement of the provisions of this Act, shall be guilty of a misdemeanor

and shall be fined not less than \$100 nor more than \$1,000 or be imprisoned in the county jail not longer than one year, or both, and in case of an association or corporation, imprisonment may be imposed upon its officers who knowingly participated in the violation; (c) any person who shall allow, assist, aid, or abet in the escape of any juvenile confined by court action or pursuant to the authority of the board or Department, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not more than one hundred dollars (\$100) or by imprisonment in the county jail in the county in which such act shall occur at hard labor for the said county for not more than 90 days, or by both such fine and imprisonment as the court may decide; (d) any member of the legislature, any member of the board, any employee of the Department or any holder of any office of the state, who takes any contract, for work or services for the board, the Department, or any of their agencies, or is employed in any way under such contract or sells any goods or supplies to the board, the Department, or any of their agencies, or is in any way pecuniarily interested in any such contract or sale, as principal or agent, must, on conviction, be fined not less than \$50 nor more than \$1,000 and also shall forfeit his office or employment; (e) it shall be the duty of every district attorney, deputy district attorney, county or other solicitor, to institute action for the enforcement of the provisions of this Act or prosecute action for the violation of the provisions of this Act, or both.

Section 36. SEVERABILITY.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 37. DONATIONS AND ENDOWMENT FUNDS.

Notwithstanding the provisions contained in the other sections of this Bill and in order to make provision for the proper preservation and application of donations from private sources by gift, devise or otherwise, heretofore made to the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Training School for Girls, or the Board of Trustees of the Alabama Industrial School for the uses and purposes intended by the private donors and in order to encourage future donations from private sources by way of gift, devise or otherwise to said schools and assure prospective private donors of the use thereof at the particular school or schools designated as the object of donations and to prohibit the diversion of past and future donations to said schools from the uses and purposes for which the same were made, each of the boards of trustees of the Alabama Boys Industrial School, the Alabama Training School for Girls, and the Alabama Industrial School is authorized and empowered to set up and establish an endowment trust fund for its respective school, to enter into an agreement with a bank or banks organized either under the national banking laws or the banking laws of this state and having trust powers, to serve as trustee for the endowment trust fund, to make provision for designation of successor trustee or trustees, to transfer to the trustee or trustees of the endowment trust fund in trust for the benefit of said school and for the uses and purposes intended by the donors thereof stocks, bonds, securities and cash together with any accretion thereto and unexpended income therefrom heretofore donated by private sources to said school or to the board of trustees thereof for the use and benefit of said school, to authorize the trustee or trustees to accept the transferred property and any future donations from private sources for the benefit

of the particular school involved, manage the trust property in a prudent manner in accordance with sound financial principles and pay out so much of the income therefrom and/or of the principal as may be required by appropriate resolutions adopted and approved by the board of trustees of the particular school involved or upon the abolition of said board of trustees, then by the advisory board established for said particular school pursuant to the provisions of Section 7 of this Bill, to provide for release of the trustee or trustees from any liability for any payment out of the trust fund made pursuant to any resolution of said board of trustees or advisory board, and to provide in the event of disestablishment of the particular school for the termination of its endowment trust fund and transfer of trust property then on hand to the Department of Youth Services for use for the particular uses and purposes of each separate endowment fund then included in the trust or if such use has ceased to be practicable then for such use as in the Department's judgment constitutes an equitable approximation of such uses and purposes. The trustee or trustees of any endowment trust fund established pursuant to this section shall periodically, not less infrequently than once every three years, make a full accounting of its handling of the trust estate to the board of trustees of the particular school involved or upon the abolition of said board of trustees, then to the advisory board of said school, and written approval of the trustee's or trustees' accounts by either of said boards shall be final and binding and have the same full force and effect as a partial final settlement or final settlement, as the case may be, had the accounting been accomplished through judicial proceedings. The board of trustees of a school establishing an endowment trust fund pursuant to this section and the advisory board of said school are prohibited from authorizing or directing any payment out of the endowment trust fund of said school for any purposes contrary to the expressed uses and purposes of the private donors of a donation constituting a part of the school's endowment trust fund.

Section 38. REPEALER.

The following Act is hereby expressly repealed on the date that the General Fund Appropriation bill becomes law: Act No. 880 adopted at the 1965 Regular Session of the Legislature of Alabama. Funds or moneys that would have been made available for implementation of Act No. 880 of the 1965 Regular Session of the Legislature of Alabama, shall hereby be available for such lawful purposes as set out in this Bill. The following Acts are hereby expressly repealed effective October 1, 1975: Chapter 36, Sections 570-584 of Title 52 of the Code of Alabama of 1940, as amended; Chapter 37, Sections 585-591, inclusive 593, 597-600, inclusive, and 602 of the Code of Alabama of 1940 as amended; and Chapter 38, Sec. 613(1)-613(15) inclusive. All other laws or parts of laws in conflict with the provisions of this Act are hereby amended on the effective date of this Act, provided, however, that: the Department of Pensions and Security of the State of Alabama shall continue to license child care institutions, group homes and foster homes for children alleged or adjudicated delinquent pursuant to Act No. 174 adopted at the 1971 Third Special Session of the Legislature of Alabama until January 1, 1974; and the commissioner of the state department of pensions and security shall continue to be the Administrator of the Interstate Compact on Juveniles pursuant to Act No. 675 adopted at the 1965 Regular Session of the Legislature of Alabama until July 1, 1974.

Section 39. EFFECTIVE DATE.

This Act shall become effective immediately upon its approval by the Governor, or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Roberts
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Goodwin	Mathews	Therrell
Carnes	Grainger	May	Timmons
Carter	Gray (F)	Meeks	Turner
Casey	Grey (D)	Merrill	Turnham
Cauthen	Hale	Naramore	Waggoner
Chesnut	Harris	Nettles	Waldrop
Connell	Headley	O'Daniel	Wallace
Coshatt	Hearn	Owens	Warren
Cottingham	Hill	Parker	Weeks
Crawford	Hobbie	Porter	Williams
Cross	Hughes	Pruitt	Wise
Crowe	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reid (R)	Wynot
Dill	King	Reynolds	

—91

And the bill:

H. 756. To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the appointment of a State Youth Services Director, and to prescribe the powers, duties, and qualifications of the said Director; to transfer control of the state training schools to the department; to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said department of the said board; and to prescribe penalties for the violation of this Act.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Barron	Boles	Burgess
Bank	Bassett	Boutwell	Carnes
Barkett	Benton	Brassell	Carter

REGULAR SESSION
29th Day

3405

Casey	Grainger	McNair	Smith (K)
Chesnut	Gray (F)	Manley	Smith (P)
Connell	Grey (D)	Mathews	Snell
Coshatt	Hale	May	Stewart
Cross	Harris	Meeks	Stokes
Crowe	Headley	Merrill	Stubbs
Culver	Hearn	Naramore	Taylor
Dill	Hill	Nettles	Therrell
Doss	Hobbie	O'Daniel	Timmons
Downing	Hughes	Owens	Turner
Drake	Jackson	Parker	Turnham
Easters	Jones (F)	Porter	Waggoner
Edwards	King	Pruitt	Waldrop
Ellis	Kinsey	Reed (T)	Wallace
Erdreich	Lang	Reid (R)	Warren
Falkenburg	Lutz	Reynolds	Weeks
Fite	McCluskey	Roberts	Williams
Flippo	McDonald	Robertson	Wood
Goodwin	McMillan	St. John	Wynot

—88

REPORT OF COMMITTEE ON CONFERENCE
ON HOUSE BILL 301

We, the committee of conference appointed to reconcile the differences between the two houses concerning the Bill, H. B. 301, have met and considered the matter referred and beg leave to report as follows:

Substitute House Bill 301 is attached.

CHARLES S. SNELL,
CHARLES H. ADAMS,
BOWEN BRASSELL,

Conferees on the Part of the House.

DON HORNE,
OBIE J. LITTLETON,
E. C. FOSHEE,

Conferees on the Part of the Senate.

A BILL
TO BE ENTITLED
AN ACT

Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, and duties; naming the Judge of Probate to also serve as the Judge of said Court; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County;

and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Inferior Court Created. There is hereby established in Chambers County a court with county-wide limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the "Civil and Criminal Court of Chambers County, Alabama." It shall be in lieu of the County Court and the Juvenile Court of said county which are hereby abolished.

Section 2. Jurisdiction. (a) Except as provided in subsection (b) following, the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases (including bastardy proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment, or actions in the nature of action in ejectment), cognizable before a circuit court, or a county court, or a juvenile court, or justices of the peace, immediately before the abolition thereof, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have authority to punish contempts by fine not exceeding fifty dollars (\$50.00), and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds one thousand dollars (\$1,000.00), exclusive of interest and attorney fees, nor take cognizance of any matter or proceeding in equity.

Section 3. Judge. (a) The judge of the Court herein established shall be the Probate Judge of Chambers County, who shall perform the duties of both the Probate Court and the civil and criminal court of Chambers County.

(b) The judge shall have authority to (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, habeas corpus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat returnable to a court of proper jurisdiction; (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace, immediately before the abolition thereof, including that of magistrates on preliminary examinations. In exercising jurisdiction in juvenile court cases the provisions in Chapter 7, Title 13 of the Code of Alabama 1940, as amendments, shall apply.

(c) The judge shall keep an office in such place or places as may be provided by the Chambers County Commission. His office shall be suitably equipped, furnished, and provided at the expense of the county with a court clerk, one or more deputy clerks, and such office supplies and stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court.

29th Day

(d) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

Section 4. Sessions. (a) There shall be a LaFayette Division and a Valley Division of the Court. The LaFayette Division shall include and be composed of the following Commissioners' Districts in Chambers County, viz: Districts one (1) and two (2); and the Valley Division shall include and be composed of the following Commissioners' Districts, viz: Districts three (3), four (4), and five (5). The sessions of the Court of the Valley Division shall be held at some place in the City of Lanett or in the police jurisdiction thereof, and the sessions of the LaFayette Division of the Court shall be held at the courthouse in the City of LaFayette. The court, at the discretion of the judge, shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of the court. On the second and fourth Monday of each month there shall be held a session of the court for the handling, trial and disposition of all cases therein pending in the Valley Division, which shall continue as long as necessary to dispose of the docket. On the first and third Monday of each month, there shall be held a session of the court for the LaFayette Division. But any session of the court in either of the divisions may be dispensed with and continued by the judge when, in the opinion of the judge, the public good or public necessity requires such continuance. As to all civil and criminal actions of which the court shall have jurisdiction, the venue of the acts shall be determined as if each of the two divisions of the county hereinabove provided for constituted a separate county, except that as to any actions instituted in either division of the court, the judge of the court shall have the power and authority to order the transfer or removal of any such action to the other division of the court for trial. All suits and actions on contract or in tort except as otherwise provided in this Act must be brought in the division in which the defendant or one of them resides or in which the debt was created or cause of action arose.

(b) The sheriff shall attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court except in juvenile court proceedings where attendance shall be within the discretion of the judge.

Section 5. Practice and Procedure. (a) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process as required by law shall issue, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process issued shall so recite.

Section 6. Juries. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 7. Costs. (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in

the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts; provided, however, that in cases where the amount in controversy does not exceed \$300.00, exclusive of interest and attorney fees, witness fees and allowances shall be those heretofore prescribed for justice courts immediately before the abolition thereof.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed three hundred dollars (\$300.00), exclusive of interest and attorney fees, the same as heretofore taxed in justice courts immediately before the abolition thereof; (2) in every other civil action at law, the same as in the circuit court. In every criminal case, the same as in county courts, including fees as provided by Section 86 repealed of Title 11 of Code 1940, except that fees for cases provided for hereinafter under Section 8 (b) the fees shall be as there stated.

(c) A special trial tax, in addition to any other trial tax provided by law, of one dollar (\$1.00) shall be collected in each civil action at law, if the sum in controversy, exclusive of interest and attorney fees, does not exceed three hundred dollars (\$300.00), and in every other civil action at law, and in every criminal case, a special trial tax, in addition to any other trial tax provided by law, of two dollars (\$2.00) shall be collected, for the use of the county in purchasing and maintaining a county law library.

(d) No costs shall be taxed in juvenile cases.

(e) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Chambers County, Alabama, one-half (50%) of all other fines collected in this court shall be paid into the general fund of Chambers County, Alabama, for the use of the county.

Section 8. Criminal Prosecutions. (a) Prosecutions may be commenced in such court upon the sworn complaint made to the judge or the clerk of the court, who shall issue a warrant of arrest if either is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued in Chambers County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama, 1940, Title 36, shall be returnable to the Civil and Criminal Court of Chambers County, and shall be there tried. Except as to the special trial tax herein provided, the court costs in such cases shall be the same as provided by law.

(c) The Assistant District Attorney of Chambers County shall be prosecuting attorney of the Civil and Criminal Court of Chambers County and shall attend all sessions of said court and do and perform all duties of a prosecuting attorney therein, and in addition shall attend and represent the State at all preliminary hearings therein and shall do and perform all duties required of an Assistant District Attorney by the Code of Alabama, 1940, Title 13, Section 256.

Section 9. Appeals and Certiorari. Any party aggrieved by a judgment, order or ruling of the court may appeal the decision as herein provided. (a) If the case is a civil case, the appeal or certiorari lies to the Circuit Court of Chambers County and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, where the trial shall be de novo with trial by jury where demanded by either party as provided by Code 1940, Title 7, Section 264. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed three hundred dollars (\$300.00), exclusive of interest and attorney fees, the issues shall be made up as provided by Code 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the rules of pleading and practice in the circuit court now in effect, or as hereafter amended. (b) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Chapter 7 of Title 13 of the 1940 Code. (c) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code 1940, Title 15, Section 320.

Section 10. Judgments. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. Clerk. (a) The circuit clerk of Chambers County shall be the clerk of the court herein established. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business, and to employ at county expense such deputy or deputies as he shall determine necessary, subject to the approval of the County Commission or like governing body, who shall be required to make bond as provided by law for circuit clerks. He shall keep a seal, which shall be the official seal adopted by the court. Before entering upon the performance of his duties as clerk of the Civil and Criminal Court of Chambers County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgements and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments and releases; (3) to approve bonds in civil and criminal cases including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter, conferred on clerks of county courts; (7) to appoint deputy clerks, subject to approval to the County Commission or like governing body, who shall have the authority to exercise all powers and perform all functions of the clerk.

Section 12. Transfer of Pending Cases. All cases and actions pending in the County Court of Chambers County and in the Juvenile Court of Chambers County on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judge-

ments rendered by the abolished courts, this court shall have the same power to control and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Any unsatisfied judgments rendered by any Justice of the Peace Court in Chambers County prior to the abolition of said Justice of the Peace Courts may be transferred to the civil dockets of the Civil and Criminal Court of Chambers County, Alabama, by a certified copy of said judgment being filed with the clerk of the court within six (6) months after the effective date of this Act, and the clerk of the court shall make and maintain a docket record and file in each cause as though said judgment was rendered by this court.

Section 13. Severability. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. Repealer. All laws in conflict with this Act are repealed to the extent of the conflict.

Section 15. Effective Date. This Act shall become effective upon the first day of the first month after its approval by the Governor or upon its otherwise becoming a law.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Snell, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 301, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dill	Kinsey	St. John
Adams	Doss	Lang	Smith (K)
Bank	Downing	Lutz	Smith (P)
Barkett	Drake	McCluskey	Snell
Barron	Easters	McCorquodale	Stewart
Bassett	Edwards	McDonald	Stokes
Benton	Ellis	McMillan	Stubbs
Boles	Fite	Manley	Taylor
Boutwell	Flippo	Meeks	Therrell
Brassell	Grainger	Merrill	Timmons
Burgess	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Nettles	Turnham
Carter	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Chesnut	Harris	Parker	Wallace
Connell	Hearn	Porter	Warren
Coshatt	Hill	Pruitt	Weeks
Cottingham	Hobbie	Reed (T)	Williams
Crawford	Hughes	Reid (R)	Wise
Crowe	Jackson	Roberts	Wood
Culver	King	Robertson	Wynot

—84

And the bill:

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a

REGULAR SESSION
29th Day

3411

court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Roberts
Adams	Downing	King	Robertson
Bank	Drake	Kinsey	St. John
Barkett	Easters	Lang	Smith (K)
Barron	Edwards	Lutz	Smith (P)
Bassett	Ellis	McCluskey	Stewart
Benton	Erdreich	McCorquodale	Stokes
Boles	Falkenburg	McDonald	Stubbs
Boutwell	Fite	McMillan	Taylor
Brassell	Flippo	McNair	Therrell
Burgess	Goodwin	Mathews	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Gray (F)	Merrill	Turnham
Cauthen	Grey (D)	Naramore	Waggoner
Chesnut	Hale	Nettles	Waldrop
Connell	Hardin	O'Daniel	Wallace
Coshatt	Harris	Owens	Warren
Cottingham	Headley	Parker	Weeks
Crawford	Hearn	Porter	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wood
Dill	Hughes	Reynolds	

—87

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 691. To authorize and provide for the promotion of the production, marketing, use and sale of swine and swine products by research, education, advertising and other methods; and prescribing a method whereby swine producers may act jointly with handlers, buyers, processors, the state board of agriculture and industries, and others, for a promotional program; provid-

ing that producers may be referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the swine producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of swine throughout the State, and providing for collection and distribution of assessments by dealers, handlers, and buyers of swine; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Smith (P), the House concurred in and adopted the Senate amendment to the bill, H. 691, said Senate amendment being as follows:

Amend House Bill No. 691 on page 8 of said bill by striking out all of Section 18 and substitute therefor the following Section:

"Section 18. EXPENDITURE OF ASSESSMENTS

The funds derived from any assessments levied upon the sale of swine as authorized under this Act shall be used and expended by the certified association after such funds are remitted to it by the Commissioner of Agriculture and Industries for the purpose of promoting and stimulating by advertising and other methods the increased use and sale of swine and swine products, and such funds may also be used for the financing or contributing toward the financing of research, experimental and educational programs for the efficient and economical production, distribution, processing and marketing of swine and swine products. The certified association may enter into cooperative agreements with appropriate agencies of any public or private institution or organization and funds derived from assessments to the extent agreed upon may be contributed to such public or private institution or agency for such research, experimental and educational work performed pursuant to such an agreement. The certified association may also formulate and establish a plan for advertising and sales promotion and to carry out such a promotional program, agreements may be entered into with advertising and public relations agencies or similar organizations. All funds expended hereunder shall be expended for purposes consistent with and in keeping with the purpose or purposes of this Act. Any funds expended by the certified association inconsistent with such purposes and provisions shall be deemed as an unauthorized expenditure of such funds. Any funds approved for expenditure hereunder for a promotional program as authorized under this Act are hereby appropriated for disbursement and expenditure by said certified association to carry out any such approved promotional program or programs and it shall not be necessary for the Legislature to make any specific or general appropriation for such disbursements or expenditures nor shall such disbursements or expenditures be subject to the budget and allotment requirements of Title 55, Chapter 4, Article III, Code of Alabama of 1940, and such disbursements and ex-

REGULAR SESSION
29th Day

3413

penditures shall not be restricted or subject to any other requirements for general or special appropriations. The payment of salaries, purchase of equipment and payment of other expenses necessary to carry out the provisions, requirements and purposes of this Act shall be deemed as authorized expenditures from funds received from assessments levied under this Act."

Amend House Bill No. 691, Section 12 on pages 4 and 5 of said bill as follows:

Strike out the first sentence of Section 12 of said House Bill No. 691 and substitute therefor the following sentence:

"Section 12. COLLECTION OF ASSESSMENTS, DEDUCTIONS FOR EXPENSES

In the event the required number of swine producers approve by a referendum as provided hereunder the levying of an assessment upon the sale of swine for a promotional program, the commissioner of agriculture and industries shall, within thirty days, notify in writing every person licensed to operate a livestock market under authority of Act No. 173 of the legislature of 1951, Acts of 1951, page 409, other persons who conduct livestock sales and purchasing establishments including the sale of feeder pigs and every person who operates a meat packing or slaughter establishment which buys swine directly from the producer, that on or after the date designated in such notice which shall be not less than thirty nor more than sixty days after the mailing of such notice by the commissioner of agriculture and industries, the amount of the assessment shall be deducted by all such sales markets or purchasers of swine, or by their agents or representatives, from the purchase price paid to the seller of such swine, where such swine are purchased within the state."

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson	Pruitt
Adams	Doss	Jones (F)	Reed (T)
Agee	Downing	King	Reid (R)
Bank	Drake	Kinsey	Roberts
Barkett	Easters	Lang	Robertson
Barron	Edwards	Lutz	St. John
Bassett	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boutwell	Falkenburg	McDonald	Stewart
Brassell	Fite	McMillan	Stokes
Burgess	Flippo	McNair	Taylor
Carnes	Grainger	Manley	Therrell
Carter	Gray (F)	Mathews	Timmons
Casey	Grey (D)	May	Turner
Cauthen	Hale	Meeks	Turnham
Chesnut	Hardin	Merrill	Waggoner
Connell	Harris	Naramore	Waldrop
Coshatt	Headley	Nettles	Wallace
Cottingham	Hearn	O'Daniel	Warren
Crawford	Hill	Owens	Weeks
Cross	Hobbie	Parker	Williams
Crowe	Hughes	Porter	Wise
Culver			

And the bill, H. 691 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dill	Hughes	Reid (R)
Adams	Doss	Jackson	Reynolds
Agee	Downing	Jones (F)	Roberts
Bank	Drake	King	Robertson
Barkett	Easters	Kinsey	St. John
Barron	Edwards	Lang	Smith (K)
Bassett	Ellis	Lutz	Smith (P)
Benton	Erdreich	McCluskey	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Goodwin	Mathews	Therrell
Carnes	Grainger	May	Timmons
Carter	Gray (F)	Meeks	Turner
Casey	Grey (D)	Merrill	Turnham
Cauthen	Hale	Naramore	Waggoner
Chesnut	Hardin	Nettles	Waldrop
Connell	Harris	O'Daniel	Wallace
Coshatt	Headley	Owens	Warren
Cottingham	Hearn	Parker	Weeks
Cross	Hill	Porter	Williams
Crowe	Hobbie	Reed (T)	Wise
Culver			

—89

RESOLUTIONS

The following resolutions were introduced:

By Rules Committee:

H. R. 190. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business on the 30th Legislative Day, taking precedence over any other business of the House:

UNCONTESTED LOCAL BILLS

H. B. 1284	Page 73	Deputy Sheriff—Uniform Compensation
H. B. 1250	Page 74	Public Corporation to merge with public utilities
H. B. 1623	Page 130	Rainbow Trout—Game Fish
H. B. 1699	Page 130	Parks Leasings
H. B. 100	Page 38	Public Service Commission Appeals
H. B. 1401	Page 98	Supernumerary Tax Assessor, Collectors & License Commissioners
H. B. 1171	Page 59	Standards for Firefighters
H. B. 1262	Page 47	Governor's Advisory Committee
H. B. 1022	Page 70	Community Service Agency
H. B. 311	Page 34	Water Sewer & Fire Protection Districts
H. B. 295	Page 114	Teachers—Exempting from Institute
H. B. 1202	Page 84	Interstate Mental Health Compact

REGULAR SESSION
29th Day

3415

H. B. 832	Page 24	Amends Cater Act
H. B. 833	Page 24	Amends Cater Act
H. B. 1299	Page 68	Local Option
H. B. 1425	Page 111	Deputy District Attorneys
H. B. 1404	Page 129	Constitution Park Transfer
H. B. 357	Page 7	Regulates Fresh Water Fishing
H. B. 3	Page 112	Sales & Use Tax Exemptions
H. B. 4	Page 62	Sales & Use Tax Exemptions
H. B. 1037	Page 62	Social Workers—Status
H. B. 213	Page 29	City & County Boards of Education
H. B. 214	Page 29	City & County Boards of Education
H. B. 632	Page 21	State Geological Study
H. B. 622	Page 20	State Income Tax Exemptions—Retired Military
H. B. 672	Page 11	Podiatrists
H. B. 1319	Page 104	Railroads
H. B. 1515	Page 138	Bonds for Tax Collectors
H. B. 1087	Page 96	Southern Growth Policies Agreement
H. B. 1126	Page 40	Conservation Dept.—Protection of Wildlife
H. B. 343	Page 18	Rules of the Road
H. B. 1792	Page 134	Compensation for Clerk of House & Sec. of Senate
H. B. 1154	Page 71	Scholarships for Survivors of Disabled Vets
H. B. 417	Page 18	Legislative Reference Service in Districts
H. B. 376	Page 70	Nursing Certification
H. B. 1409	Page 75	Local Water Systems
H. B. 1447	Page 75	Aircraft Museum
H. B. 1338	Page 76	Aircraft Museum
H. B. 1912	Page	Law Center—University of Alabama
H. B. 1590	Page 79	Utility Reimbursement
H. B. 11	Page 115	Helicopter Ambulance
H. B. 1218	Page 62	Family Planning Service
H. B. 992	Page 31	Purchases Made by Colleges Jointly
H. B. 210	Page 131	County Engineer Qualifications
H. B. 857	Page 74	Area Planning Boards
H. B. 1227	Page 47	Voting Machines—Printouts
H. B. 1613	Page 84	Marine Environmental Sciences Consortium
H. B. 448	Page 60	Teacher Retirement for Custodians & Janitors

Mr. Erdreich offered the following amendment to the resolution, H. R. 190:

Amend H. R. 190 by adding a new line after line six to read as follows:
“Unfinished Business Previous Special Order Calendar”

AMENDMENT TABLED

On motion of Mr. Drake, the amendment offered by Mr. Erdreich to the resolution, H. R. 190, was tabled.

Yeas 49; Nays 22.

Yeas:

Mr. Speaker	Downing	Lang	Reed (T)
Adwell	Drake	McCluskey	Reid (R)
Agee	Edwards	McCorquodale	Reynolds
Boutwell	Fite	McDonald	St. John
Brassell	Goodwin	Mathews	Slate
Callahan	Grainger	May	Smith (K)
Carnes	Grey (D)	Meeks	Stubbs
Carter	Hardin	Merrill	Therrell
Casey	Headley	O'Daniel	Turner
Chesnut	Hearn	Owens	Turnham
Connell	Jackson	Porter	Williams
Cottingham	King	Pruitt	Wise
Crawford			

—49

Nays:

Messrs.:	Easters	Lutz	Stokes
Barkett	Erdreich	McNair	Taylor
Barron	Hill	Manley	Timmons
Benton	Hughes	Nettles	Warren
Cauthen	Jones (F)	Roberts	Wood
Dill	King	Stewart	

—22

Mr. Ellis offered the following amendment to the resolution, H. R. 190:

Amend H. R. 190 to add after H. B. 448 the following bill:

H. B. 426 on page 19 of the House Calendar.

AMENDMENT TABLED

On motion of Mr. Drake, the amendment offered by Mr. Ellis to the resolution, H. R. 190, was tabled.

Yeas 41; Nays 19.

Yeas:

Mr. Speaker	Drake	Lang	Robertson
Adams	Fite	McCorquodale	St. John
Barkett	Goodwin	McDonald	Slate
Brassell	Grainger	Mathews	Smith (K)
Burgess	Harris	Merrill	Stubbs
Callahan	Headley	Nettles	Taylor
Carnes	Hearn	Perloff	Therrell
Carter	Jackson	Porter	Turner
Casey	Jones (F)	Reid (R)	Warren
Connell	Kinsey	Reynolds	Williams
Downing			

—41

Nays:

Messrs.:	Boutwell	Dill	Ellis
Barron	Coshatt	Easters	Gray (F)

REGULAR SESSION
29th Day

3417

Hardin	King	Owens	Turnham
Hill	Lutz	Stokes	Waldrop
Hughes	McNair	Timmons	Weeks

—19

Mr. Bank offered the following amendment to the resolution, H. R. 190:

I hereby move to amend the Special Order Calendar for the 30th legislative day to add House Bill 1307 at the top of the Special Order Calendar.

MOTION TO TABLE LOST

The motion offered by Mr. Drake to table the amendment offered by Mr. Bank to the resolution, H. R. 190, was lost.

Yeas 27; Nays 45.

Yeas:

Mr. Speaker	Casey	Fite	Nettles
Agee	Cauthen	Harris	St. John
Barkett	Connell	Jackson	Slate
Boutwell	Crawford	Lang	Turnham
Bowers	Crowe	McCorquodale	Waggoner
Brassell	Downing	Meeks	Williams
Burgess	Drake	Merrill	

—27

Nays:

Messrs.:	Easters	Hughes	Reid (R)
Adwell	Edwards	King	Robertson
Bank	Erdreich	Lutz	Smith (K)
Barron	Falkenburg	McDonald	Stokes
Benton	Flippo	McNair	Stubbs
Carnes	Grainger	Mathews	Therrell
Carter	Gray (F)	Owens	Timmons
Chesnut	Hale	Parker	Turner
Coshatt	Hardin	Perloff	Waldrop
Cottingham	Headley	Porter	Wallace
Cross	Hearn	Pruitt	Warren
Dill	Hill		

—45

The question was then on the amendment offered by Mr. Bank to the resolution, H. R. 190, and the amendment was adopted.

And the resolution:

H. R. 190. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special paramount and continuing order of business on the 30th Legislative Day, taking precedence over any other business of the House:

UNCONTESTED LOCAL BILLS

H. B. 1467	Page	Boat Registration
H. B. 286	Page	Perdiem for State officers
H. B. 985	Page	Taxation Exemptions
H. B. 485	Page	Police Retirement
H. B. 1248	Page	System of Law for Corporations
H. B. 315	Page	Medical Services by Chiropractors

H. B.	285	Page	Authorizes cities to provide buildings & facilities to be used by organizations
H. B.	339	Page	Department of Agriculture
H. B.	142	Page	Duties for School Principals
H. B.	265	Page	Group Insurance for School Board Employees
H. B.	1349	Page	Income Tax Exemptions
H. B.	1334	Page	Scholarships for study of Dentistry
H. B.	1335	Page	Scholarships for Medical Education
H. B.	1435	Page	Ad Valorem Tax Exemptions
H. B.	216	Page	Employees Retirement System
H. B.	1530	Page	Privilege Tax Against Persons Engaged in Leasing & Renting Property
H. B.	851	Page	Firefighting Vehicles
H. B.	834	Page	Firefighters & FOP
H. B.	46	Page	Tax Assessor—Each County estimate all real & personal property for ad valorem tax
H. B.	1515	Page	Execution of Bonds on Tax Collectors
H. B.	167	Page	Electronic Voting
H. B.	439	Page	Refund of Security Deposits
H. B.	1307	Page	State Board of Health
H. B.	1284	Page	Deputy Sheriff—Uniform Compensation
H. B.	1250	Page	Public Corporation to merge with public utilities
H. B.	1623	Page	Rainbow Trout—Game Fish
H. B.	1699	Page	Parks Leasings
H. B.	100	Page	Public Service Commission Appeals
H. B.	1401	Page	Supernumerary Tax Assessor, Collectors & License Commissioners
H. B.	1171	Page	Standards for Firefighters
H. B.	1262	Page	Governor's Advisory Committee
H. B.	1022	Page	Community Service Agency
H. B.	311	Page	Water Sewer & Fire Protection Districts
H. B.	295	Page	Teachers—Exempting from Institute
H. B.	1202	Page	Interstate Mental Health Compact
H. B.	832	Page	Amends Cater Act
H. B.	833	Page	Amends Cater Act
H. B.	1299	Page	Local Option
H. B.	1425	Page	Deputy District Attorneys
H. B.	1404	Page	Constitution Park Transfer
H. B.	357	Page	Regulates Fresh Water Fishing
H. B.	3	Page	Sales & Use Tax Exemptions
H. B.	4	Page	Sales & Use Tax Exemptions
H. B.	1037	Page	Social Workers—Status
H. B.	213	Page	City & County Boards of Education
H. B.	214	Page	City & County Boards of Education
H. B.	632	Page	State Geological Study

**REGULAR SESSION
29th Day**

3419

H. B. 622	Page	State Income Tax Exemptions—Retired Military
H. B. 672	Page	Podiatrists
H. B. 1319	Page	Railroads
H. B. 1515	Page	Bonds for Tax Collectors
H. B. 1087	Page	Southern Growth Policies Agreement
H. B. 1126	Page	Conservation Dept.—Protection of Wildlife
H. B. 343	Page	Rules of the Road
H. B. 1792	Page	Compensation for Clerk of House & Sec. of Senate
H. B. 1154	Page	Scholarships for Survivors of Disabled Vets
H. B. 417	Page	Legislative Reference Service in Districts
H. B. 376	Page	Nursing Certification
H. B. 1409	Page	Local Water Systems
H. B. 1447	Page	Aircraft Museum
H. B. 1338	Page	Aircraft Museum
H. B. 1912	Page	Law Center—University of Alabama
H. B. 1590	Page	Utility Reimbursement
H. B. 11	Page	Helicopter Ambulance
H. B. 1218	Page	Family Planning Service
H. B. 992	Page	Purchases Made by Colleges Jointly
H. B. 210	Page	County Engineer Qualifications
H. B. 857	Page	Area Planning Boards
H. B. 1227	Page	Voting Machines—Printouts
H. B. 1613	Page	Marine Environmental Sciences Consortium
H. B. 448	Page	Teacher Retirement for Custodians & Janitors

As thus amended, was adopted.

Also:

By Mr. Barkett:

H. J. R. 191. MEMORALIZING CONGRESS TO SUBMIT TO THE FIFTY STATES A PROPOSED CONSTITUTIONAL AMENDMENT TO REQUIRE THAT ALL FEDERAL JUDGES WHO ARE APPOINTED FOR LIFE MUST BE PERIODICALLY RECONFIRMED BY THE UNITED STATES SENATE.

WHEREAS the appointment of federal judges for life tenure have often-times resulted in a man being placed in a high federal judgeship who is irresponsible and not suited for the office; and

WHEREAS there needs to be some procedure whereby this republic may be safeguarded from such irresponsible persons holding high federal office; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING: That the United States Congress is hereby memorialized to submit to the fifty states of this republic a proposed Constitutional Amendment to the United States Constitution to require that

all federal judges who are appointed for life be periodically reconfirmed by the United States Senate every ten years in order to continue holding their office.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to all members of the United States House of Representatives and the United States Senate.

The resolution, H. J. R. 191, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Doss, Erdreich, Weeks, Dill, Falkenburg, Wallace, Adwell, Boutwell, McNair, Waggoner, McMillan, Ellis, Boles, Bowers, Hughes, Meeks, Jones (E), McBride, Timmons and Gafford:

H. J. R. 192. MOURNING THE DEATH OF MERVYN HAYDEN STERNE

WHEREAS, our creator, in his infinite wisdom, has seen fit to recall to his kingdom the soul of our beloved and distinguished friend, Mervyn Hayden Sterne. Mr. Sterne, age 81, was a leader in business and civic activities in Birmingham and the State; and

WHEREAS, Mervyn Sterne always conducted himself, both professionally and privately, in such a manner as to demonstrate those qualities of character which we would all do well to emulate; his dignity, integrity, ability and devotion to duty were of the highest quality; and

WHEREAS, he gave unselfishly of life and commitment to his state and his community. He was a successful investment banker, being the senior member of the investment banking firm of Sterne, Agee and Leach for over forty years. He was particularly helpful in making a market for the State of Alabama bonds; his firm having bought and sold more State of Alabama securities than any other investment firm in Alabama. Along with his other activities, he served on the board of directors of the Alabama By-Products Corporation, Birmingham; of the Ensley Company, Ensley, Alabama; of Avondale Mills, Sylacauga; of the Classe Ribbon Company; Ramsay-McCormack Land Company; Hayes International Corporation and he served as Vice President and Director of the Alabama Chemical Products Company of Birmingham; and

WHEREAS, throughout his life he was active in civic and cultural affairs. He served as a Community Chest United Appeal board member and volunteer for over forty years. Mervyn Sterne built the Holy Family Hospital; was chairman of the Birmingham Library Board; was vice chairman of the Museum Board; was president of the United Jewish Fund and was a trustee at Birmingham-Southern College. In 1948, he served as chairman of the joint appeal fund-raising for Howard College and Birmingham-Southern College which exceeded its goal by one million dollars. During the 1960's, he undertook leadership of a fund-raising campaign for Miles College which, in 1973, honored him as the recipient of the school's "Outstanding Citizen's Award"; and

WHEREAS, Mervyn Hayden Sterne was a true Southern gentleman ever ready to contribute to the needs of his neighbors. His life serves as an example and guiding star for all our people; now therefore.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body mourns the loss of one of Alabama's great citizens, Mervyn Hayden Sterne, and expresses its deepest sympathy to his family and loved ones.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 192, on the Clerk's desk for one legislative day.

Also:

By Mr. Lyons:

H. J. R. 193. TO DESIGNATE U.S. HIGHWAY 90 FROM BATTLESHIP PARKWAY TO MISSISSIPPI LINE AS HISTORIC MOBILE PARKWAY

WHEREAS, U.S. Highway 90 in Mobile County is one of the oldest highways in the nation; and

WHEREAS, this highway extends through the heart of historic downtown Mobile, and connects with Battleship Parkway and leads to other highways connecting with Baldwin County's many other tourist attractions; and

WHEREAS, along this highway may be found the remains of Fort Conde, one of the first permanent settlements on the Gulf of Mexico which later became the City of Mobile, as well as other tourist attractions such as the Mobile International Speedway; Barton Academy, Alabama's first public school; the Azalea trail; the City Hall, formerly the city market and militia armory; Admiral Raphael Semmes home; and

WHEREAS, U.S. Highway 90 is the major street connecting the historic streets downtown where gas lights, historic buildings and landmarks dating back to the early 1800's are still standing in their "Old South" splendor; and

WHEREAS, the flavor and style of Old Mobile has combined with modern day conveniences to make present day Mobile a pleasure stop for any visitor; and

WHEREAS, newly constructed Interstate 10 now leads many tourists past Mobile into neighboring states and deprives them of the splendor and charm that is Mobile, Alabama; and

WHEREAS, many vacationing motorists are not aware of the pleasures and educational advantages awaiting them in this fine Southern city; and

WHEREAS, it is hereby proposed that U.S. Highway 90 be designated as Historic Mobile Parkway for the purpose of availability of signing and informing the public of the advantages awaiting them along this historic route; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the portion of U.S. Highway 90 from its connection with Battleship Parkway and extending west to the Mississippi State line be named, designated and known as Historic Mobile Parkway.

RESOLVED FURTHER, That the State of Alabama Highway Department shall cause appropriate markers to be erected along the route of said Parkway so designating its name and historic significance.

The resolution, H. J. R. 193, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Turnham:

H. J. R. 194. COMMENDING E. L. STEWART

WHEREAS, Mr. E. L. Stewart has made immeasurable contributions to the fields of vocational education and extension farm agency in Randolph, Macon and Chambers Counties; and

WHEREAS, he has taught vocational education for eleven years in Chambers County and has twenty-nine years service in farm extension in Macon County; and

WHEREAS, he has influenced thousands of youths through his active involvements in such organizations as the Future Farmers of America, the 4-H Club, and coaching of public speaking within such organizations; and

WHEREAS, his accomplishments in vocational education include: teaching of home electrical wiring, landscaping, corn production programs, forestry planning, cotton farming improvements, the Chambers County Dairy Association, the Chambers County Beef Cattleman's Association, and other programs and organizations too various to mention; and

WHEREAS, this man has served in various capacities in the First Baptist Church of LaFayette as a deacon, Sunday School teacher, superintendent of department of Sunday School, choir member and other involvements in the church for many years; and

WHEREAS, his recent years of civic involvement have been in the Rotary Club, Union Hill and Fredonia Community Clubs; and

WHEREAS, this man's contributions over years in rural improvements and vocational agriculture are varied and indeed impressive; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. E. L. Stewart be highly commended for his accomplishments in the field of vocational agriculture and for the contributions he has made to the people of this state.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Mr. Stewart.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 194, on the Clerk's desk for one legislative day.

Also:

By Messrs. Smith (P) and McCluskey:

H. J. R. 195. NAMING THE TALLADEGA NATIONAL GUARD ARMORY FOR GENERAL LAURIS D. GRAVES.

WHEREAS Brigadier General Lauris D. Graves, Assistant Adjutant General (Army), State of Alabama, has rendered outstanding service throughout his military career which began in the Alabama National Guard in November 1950 with the 464th Anti-aircraft Battalion, Talladega, Alabama, when as surgeon, he was commissioned First Lieutenant; and

WHEREAS General Graves received his bachelor's degree from the University of Alabama, his medical degree from Hahnemann Medical College, Philadelphia, Pennsylvania and served his internship at Lloyd Nolen Hospital in Birmingham; and

WHEREAS General Graves' military education is as follows: Basic Officers Course, Medical Field Service School, Fort Sam Houston, Texas; graduate of Advanced Course, Medical Field Service School, Fort Sam Houston, Texas; Management of Mass Casualties, Medical Field Service School; Command and General Staff College; and Defense Strategy Seminar, National War College, Washington, D.C.; and

WHEREAS General Graves served on active duty with the Seventh Infantry in Korea from June 1951 until May 1952; in October 1952 he assumed command of the 129th Medical Company, Alabama Army National Guard and continuously served as commander throughout the period of that company's reorganization as the 127th Medical Battalion and subsequent reorganization as the 127th Medical Group, making many outstanding accomplishments while under his command, which were reflected in his successive promotions to Captain, Major, Lieutenant Colonel, Colonel and Brigadier General; and

WHEREAS in recognition of General Graves' valorous and effective service, he was awarded the following decorations: Army Commendation Medal, Bronze Star for Valor (two awards), Combat Medical Badge, United Nations Service Medal, Korean Service Medal with five battle stars, Presidential Unit Citation, Korean Presidential Unit Citation, Alabama Commendation Medal, Alabama Faithful Service Medal; and

WHEREAS General Graves, who is a member of the American Medical Association, the Medical Association of the State of Alabama, Alabama Academy of General Practice, is also past president of the National Guard Association of Alabama, is a member and former deacon of the First Presbyterian Church of Talladega, member of the board of directors of the Talladega Chamber of Commerce, and member and past president of the Talladega Recreation Board; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of General Graves' outstanding contributions, both militarily and as a professional, business, civic and religious leader of Talladega, that the National Guard Armory at Talladega be named, designated and known as the Lauris D. Graves Armory.

The resolution, H. J. R. 195, was read and referred to the Standing Committee on Rules.

SPECIAL ORDER

And the bill:

H. 323. (With Substitute No. 2 to Substitute No. 1): To make appro-

priations from the State Treasury for capital improvements.

Was taken up.

The question was then on the adoption of the substitute #2 reported by the Standing Committee on Ways and Means which was its substitute to the Ways and Means substitute #1, said Committee substitute #2 being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To make appropriations from the State Treasury for capital improvements.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from monies in the State Treasury to the credit of the funds designated herein for each of the two fiscal years ending September 30, 1974, and September 30, 1975, to be used for capital improvements only, the following amounts for the specific projects.

Section 2. BOARD OF COSMETOLOGY:

For the fiscal year ending September 30, 1974:

For the construction and equipping of a Cosmetology Building	50,000.00
The above appropriation shall be paid from the Board of Cosmetology Fund.	

**Section 3. CITY AND COUNTY BOARDS
OF EDUCATION:**

(a) For the fiscal year ending September 30, 1974:

Clarke County:

For construction and equipping all- purpose auditorium	200,000.00
---	------------

Coffee County:

For the construction and equipping of a Home Economics Depart- ment Building at Zion Chapel School	75,000.00
---	-----------

Henry County:

(1) For the construction and equipping of a school at Newville	150,000.00
(2) For the construction and equipping of a lunchroom in Headland	250,000.00
(3) For the construction and equipping of a lunchroom in Abbeville	250,000.00

REGULAR SESSION
29th Day

3425

Houston County:

(1) For the construction and equipping of a school at Wicksburg	225,000.00
(2) Houston County Board of Education	500,000.00
(3) Dothan City School	500,000.00

Madison County:

For the construction and equipping of a school at Madison	400,000.00
---	------------

Marion County:

For the construction and equipping of an Elementary School at Hamilton, Alabama	750,000.00
---	------------

Birmingham City:

For the construction and equipping of an Experimental School for the atypical and typical children	500,000.00
--	------------

Clay County:

For the construction, renovation and repair of school buildings and the purchase of school buses ..	200,000.00
The above appropriations in subsection (a) of Section 3 are to be paid from the Alabama Special Educational Trust Fund.	

(b) For the fiscal year ending September 30, 1974:

Baldwin County:

For the construction and equipping of a school at Gulf Shores	250,000.00
---	------------

Barbour County:

For the construction and equipping of Louisville High School ..	120,000.00
---	------------

Bibb County:

For the construction and equipping of a school at Randolph	150,000.00
--	------------

Blount County:

For the construction and equipping of a Southview Elementary School	250,000.00
---	------------

Butler County:

For the construction and equipping of an all-purpose Auditorium at Greenville, Alabama	450,000.00
--	------------

JOURNAL OF THE HOUSE, 1973
29th Day

Chilton County:

For the construction and equip- ping of a school at Thorsby	250,000.00
--	------------

Clarke County:

For construction of buildings for Clarke County and Thomasville City School Systems	200,000.00
---	------------

Conecuh County:

For construction and equipping of an area vocational high school in Conecuh County	475,000.00
--	------------

Escambia County:

For the construction and equip-
ping of Physical Educational Fa-
cilities:

McCall Junior High School	60,000.00
North Brewton Junior High School	60,000.00
Huxford Junior High School	60,000.00

Total	180,000.00
-------------	------------

Jefferson County:

For the construction and equip- ping of Hewitt Trussville Element- ary School	400,000.00
---	------------

Lamar County:

For the construction and equip- ping of a school at Sulligent	450,000.00
--	------------

Lee County:

For the construction and equip- ping of new classrooms at Beaure- gard School	100,000.00
---	------------

Lowndes County:

For the reconstruction and equip- ping of the Lowndes County High School	35,000.00
--	-----------

Shelby County:

For the construction and equip- ping of Pelham High School	350,000.00
---	------------

Tallapoosa County:

For construction and equipping of a school at Reeltown	100,000.00
For construction and equipping of a school at Dadeville	75,000.00

Total	175,000.00
-------------	------------

REGULAR SESSION
29th Day

3427

Walker County:

For construction and equipping of a Junior High School at Sumiton ..	450,000.00
---	------------

Midfield City:

For reconstruction and equipping the Rutledge Junior High School ..	400,000.00
--	------------

Sylacauga City:

For reconstruction and equipping of a Junior High School at Sylacauga	300,000.00
--	------------

The appropriations made herein-
above in sub-section (b) of Sec-
tion 3 are to be paid from the
tion 3 are to be paid from the Ala-
bama Special Educational Trust
Fund.

**Section 4. ALABAMA HIGH SCHOOL
OF FINE ARTS:**

For the fiscal year ending September
30, 1974:

For the construction and equipping of a Dormitory and Classrooms for the Alabama High School of Fine Arts ..	500,000.00
--	------------

The appropriation made in this section
shall be paid from the Alabama Special
Educational Trust Fund.

**Section 5. THE HANK WILLIAMS ME-
MORIAL COMMISSION:**

For the fiscal year ending September 30, 1974	100,000.00
--	------------

For the fiscal year ending September 30, 1975	100,000.00
--	------------

The appropriations made in this section
shall be paid from the State General
Fund.

**Section 6. COFFEE COUNTY LIVE-
STOCK EXPOSITION AU-
THORITY:**

For the fiscal year ending September
30, 1974:

To build holding pens in New Brock- ton, Alabama	50,000.00
---	-----------

The above appropriation shall be paid
from the State General Fund.

**Section 7. ENTERPRISE AIRPORT AU-
THORITY:**

For the fiscal year ending September
30, 1974:

To purchase land to extend runway	50,000.00
The above appropriation shall be paid from the State General Fund.	

Section 8. PEA RIVER HISTORICAL
AND GENEALOGICAL SOCIETY:

For the fiscal year ending September
30, 1974:

To purchase Enterprise Railroad Station to be used as a museum	50,000.00
The above appropriation shall be paid from the State General Fund.	

Section 9. KINSTON CITY RECREATION
AUTHORITY:

For the fiscal year ending September
30, 1974:

To build a stadium	15,000.00
The above appropriation shall be paid from the State General Fund.	

Section 10. ARMORY COMMISSION:

(a) For the fiscal year ending September
30, 1974:

For the armory at Dothan	22,000.00	
For the armory at Arton	15,000.00	
For the armory at Prattville	6,000.00	
For the armory at Luverne	10,000.00	
Total		53,000.00

The above appropriation shall be
paid from the State General Fund.

(b) For the armory at Elba City	50,000.00	
For the armory at Enterprise City	95,000.00	
Total		145,000.00

The appropriation made in this
section (b) shall be paid from the
State General Fund.

Section 11. MONTGOMERY
RIVERBOAT
COMMISSION, INC.:

For the fiscal year ending September 30, 1974	50,000.00
The above appropriation shall be paid from the State General Fund.	

REGULAR SESSION
29th Day

3429

**Section 12. ALABAMA SPACE AND
ROCKET CENTER
COMMISSION:**

For the fiscal year ending September
30, 1974:

For expansion and enlargement of the Alabama Space and Rocket Center	100,000.00
The above appropriation shall be paid from the State General Fund.	

**Section 13. ALABAMA HISTORICAL
COMMISSION:**

For the fiscal year ending September
30, 1974:

For transfer to the Alabama Histori-
cal Commission:

For acquisition and development of Cahaba, the site of Alabama's first permanent Capitol	50,000.00
--	-----------

The above appropriation shall be paid
from the State General Fund.

**Section 14. STATE HIGHWAY
DEPARTMENT:**

For the fiscal year ending September
30, 1974:

For dredging channels from West Fowl
River to eight foot depth contour
near Intercoastal Canal and to Boyou
Codon Channel

479,250.00

The above appropriation shall be paid
from the State General Fund.

**Section 15. ALABAMA
EDUCATIONAL
TELEVISION
COMMISSION:**

For the fiscal year ending September
30, 1974:

For construction and equipping of a
broadcasting studio

1,000,000.00

The appropriation made in this section
shall be paid from the State General
Fund.

**Section 16. BEAR CREEK
DEVELOPMENT
AUTHORITY:**

For the fiscal year ending September
30, 1974:

For the construction of Environmental
Facilities

350,000.00

The appropriation made in this section shall be paid from the State General Fund.

Section 17. AERONAUTICS
DEPARTMENT:

For the fiscal year ending September 30, 1974:

For the construction of an airport in the City of Arab	32,000.00
--	-----------

The appropriation made in this section shall be paid from the State General Fund.

Section 18. PUBLIC SAFETY
DEPARTMENT:

For the fiscal year ending September 30, 1974:

For building State Trooper office in Tuscaloosa County	75,000.00
--	-----------

The appropriation made in this section shall be paid from the State General Fund.

Section 19. ALABAMA STATE FAIR
AUTHORITY:

For the fiscal year ending September 30, 1974:

For the construction of a swine pavilion at the Alabama State Fair Grounds at Birmingham	50,000.00
--	-----------

The appropriation made in this section shall be paid from the State General Fund.

Section 20. BOARD OF
CORRECTIONS:

For the fiscal year ending September 30, 1974:

For construction and repairs to the Board of Corrections facilities	600,000.00
---	------------

The appropriation made in this section shall be paid from the State General Fund.

Section 21. OIL AND GAS BOARD:

For the repair and renovation of the Oil and Gas Building	10,000.00
---	-----------

The appropriation made in this section shall be paid from the State General Fund.

**REGULAR SESSION
29th Day**

3431

Section 22. CLAY COUNTY:

For the construction of a Memorial Library at Ashland	25,000.00
The appropriation made in this section shall be paid from the State General Fund:	

**Section 23. CONSERVATION
DEPARTMENT:**

(a) Game and Fish Division:

For the fiscal year ending September 30, 1974:

For Land Acquisition	300,000.00	
For storage buildings, office, sanitary facilities, refuge manager housing, land clearing, road improvements and water systems. Construction of Fisheries Research Station including ponds, holding shed, laboratory and water supplies. Construction imment and repair of public fishing lakes and access areas		
	495,000.00	
Total		795,000.00

For the fiscal year ending September 30, 1975:

For Land Acquisition	350,000.00	
For storage buildings, office, sanitary facilities, refuge manager housing, land clearing, road improvements and water systems. Construction of Fisheries Research Station including ponds, holding shed, laboratory and water supplies. Construction improvement and repair of public fishing lakes and access areas		
	281,860.00	
Total		631,860.00

The above appropriations shall be paid from the Game and Fish Fund.

(b) Water Safety Division:

For the fiscal year ending September 30, 1974:

For fencing District Headquarters at Wind Creek	1,000.00
For construction of Boat Storage Shed at Warehouse Complex	6,000.00

JOURNAL OF THE HOUSE, 1973
29th Day

For construction, placement, main- tenance of piers, ramps, and aids to navigation	26,698.00
--	-----------

Total	33,698.00
-------------	-----------

For the fiscal year ending Septem-
ber 30, 1975:

For construction, placement, main- tenance of piers, ramps, and aids to navigation	30,698.00
--	-----------

The above appropriations shall be
paid from the Water Safety Fund.

(c) **Parks Division—Monuments and
Historical Sites:**

For the fiscal year ending Septem-
ber 30, 1974:

For construction, placement and maintenance on the Little River Canyon Rim Parkway	30,000.00
--	-----------

The above appropriation shall be
paid from the State Parks Fund.

Section 24. HALE COUNTY:

For the construction of an Agricultural Center	150,000.00
---	------------

The above appropriation shall be paid
from the State General Fund.

**Section 25. STATE BUILDING
COMMISSION:**

For the fiscal year ending September
30, 1974:

(a) For construction and equipping a building at Auburn University, Auburn, Alabama, for use and occupancy by Department of Agriculture and Industries as a livestock and poultry disease diagnostic laboratory and an ag- ricultural chemistry laboratory	1,500,000.00
---	--------------

(b) For completion of construction and equipping of Richard Beard Building for Department of Ag- riculture and Industries	151,000.00
--	------------

The appropriations made in this
Section shall be paid from the
State General Fund.

**Section 26. S. D. BISHOP STATE
JUNIOR COLLEGE:**

For the fiscal year ending September
30, 1974:

REGULAR SESSION
29th Day

3433

For the purchase of Caldwell School 350,000.00

Section 27. LIVESTOCK COLISEUM:

For the fiscal year ending September
30, 1974:

For construction and equipping a swine
exhibit barn at the Garrett Coliseum
in Montgomery 145,000.00

This appropriation made in this Section
shall be paid from the State General
Fund.

**Section 28. LIVINGSTON STATE
UNIVERSITY:**

For the fiscal year ending September
30, 1974:

For capital outlay purposes 5,000,000.00
The above appropriation shall be paid
from the Alabama Special Educational
Trust Fund.

**Section 29. JACKSONVILLE STATE
UNIVERSITY:**

For the fiscal year ending September
30, 1974:

For capital outlay purposes 5,000,000.00
The above appropriation shall be paid
from the Alabama Special Educational
Trust Fund.

**Section 30. UNIVERSITY OF
ALABAMA IN
HUNTSVILLE:**

For the fiscal year ending September
30, 1973:

For purchase of lands for construction
of medical education facilities 2,000,000.00

Section 31. All appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940. Provided further that all appropriations contained in this Act shall be conditional upon the condition of the treasury and the approval of the Governor.

Section 32. This Act shall become effective October 1, 1973.

And the substitute #2 was adopted.

Yeas 77; Nays 9.

Yeas:

Messrs.:	Barron	Boles	Brassell
Adams	Bassett	Boutwell	Burgess
Barkett	Benton	Bowers	Callahan

29th Day

Carnes	Grainger	Mathews	St. John
Carter	Grey (D)	May	Slate
Cauthen	Hale	Meeks	Smith (K)
Chesnut	Hardin	Merrill	Smith (P)
Collins	Harris	Naramore	Stokes
Connell	Hearn	Nettles	Taylor
Cottingham	Hughes	O'Daniel	Therrell
Crawford	Jackson	Owens	Turnham
Crowe	Jones (F)	Parker	Waggoner
Downing	King	Porter	Waldrop
Easters	Kinsey	Pruitt	Wallace
Edwards	Lang	Reed (T)	Warren
Ellis	Lutz	Reid (R)	Weeks
Falkenburg	McCluskey	Reynolds	Williams
Fite	McCorquodale	Roberts	Wise
Gafford	McMillan	Robertson	Wood
Goodwin	Manley		

—77

Nays:

Mr. Speaker	Erdreich	Perloff	Stubbs
Cross	Headley	Stewart	Turner
Dill			

—9

The question was then on the substitute #1 reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To make appropriations from the State Treasury for capital improvements.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from monies in the State Treasury to the credit of the funds designated herein for each of the two fiscal years ending September 30, 1974, and September 30, 1975, to be used for capital improvements only, the following amounts for the specific projects.

Section 2. **BOARD OF
COSMETOLOGY:**

For the fiscal year ending September 30, 1974:

For the construction and equipping of
a Cosmetology Building

50,000.00

The above appropriation shall be paid
from the Board of Cosmetology Fund.

Section 3. **CITY AND COUNTY
BOARDS OF
EDUCATION:**

(a) For the fiscal year ending September 30, 1974:

Coffee County:

For the construction and equipping of a Home Economics De-

REGULAR SESSION
29th Day

3435

partment Building at Zion Chapel School	75,000.00
Henry County:	
For the construction and equipping of a school at Newville ..	150,000.00
Houston County:	
For the construction and equipping of a school at Wicksburg ..	225,000.00
Madison County:	
For the construction and equipping of a school at Madison	200,000.00
Marion County:	
For the construction and equipping of an Elementary School at Hamilton, Alabama	750,000.00
Birmingham City:	
For the construction and equipping of an Experimental School for the atypical and typical children	500,000.00
The above appropriations in subsection (a) of Section 3 are to be paid from the Alabama Special Educational Trust Fund.	
(b) For the fiscal year ending September 30, 1974:	
Baldwin County:	
For construction and equipping of a school at Gulf Shores	250,000.00
Barbour County:	
For the construction and equipping of Louisville High School	120,000.00
Bibb County:	
For the construction and equipping of a school at Randolph ..	150,000.00
Blount County:	
For the construction and equipping of a Southview Elementary School	250,000.00
Butler County:	
For the construction and equipping of an all-purpose Auditorium at Greenville, Alabama ..	450,000.00

JOURNAL OF THE HOUSE, 1973
29th Day

Chilton County:

For the construction and equip- ping of a school at Thorsby	250,000.00
--	------------

Escambia County:

For the construction and equip-
ping of Physical Educational
Facilities:

McCall Junior High School	60,000.00
North Brewton Junior High School	60,000.00
Huxford Junior High School	60,000.00

Total	180,000.00
-------------	------------

Jefferson County:

For the construction and equip- ping of Hewitt Trussville Ele- mentary School	400,000.00
---	------------

Lamar County:

For the construction and equip- ping of a school at Sulligent ...	450,000.00
--	------------

Lee County:

For the construction and equip- ping of new classrooms at Beau- regard School	100,000.00
---	------------

Lowndes County:

For the reconstruction and equip- ping of the Lowndes County High School	35,000.00
--	-----------

Shelby County:

For the construction and equip- ping of Pelham High School ..	200,000.00
--	------------

Tallapoosa County:

For construction and equipping of a school at Reeltown	100,000.00
For construction and equipping of a school at Dadeville	75,000.00

Total	175,000.00
-------------	------------

Walker County:

For construction and equipping of a Junior High School at Sumi- ton	450,000.00
---	------------

Midfield City:

For reconstruction and equipping the Rutledge Junior High School	400,000.00
---	------------

**REGULAR SESSION
29th Day**

3437

Sylacauga City:

For reconstruction and equipping of a Junior High School at Sylacauga	300,000.00
--	------------

The appropriations made herein-above in sub-section (b) of Section 3 are to be paid from the Alabama Special Educational Trust Fund and are conditional upon the the condition of the Fund with the approval of the Governor.

**Section 4. ALABAMA HIGH SCHOOL
OF FINE ARTS:**

For the fiscal year ending September
30, 1974:

For the construction and equipping of a Dormitory and Classrooms for the Alabama High School of Fine Arts	500,000.00
---	------------

The appropriation made in this section shall be paid from the Alabama Special Educational Trust Fund and is conditional upon the condition of the Fund and with the approval of the Governor.

**Section 5. THE HANK WILLIAMS
MEMORIAL
COMMISSION:**

For the fiscal year ending September 30, 1974	100,000.00
--	------------

For the fiscal year ending September 30, 1975	100,000.00
--	------------

The appropriations made in this section shall be paid from the State General Fund. However, the appropriation made in the fiscal year ending September 30, 1975 shall be conditional upon the condition of the Fund and with the the approval of the Governor.

**Section 6. COFFEE COUNTY
LIVESTOCK
EXPOSITION
AUTHORITY:**

For the fiscal year ending September
30, 1974:

To build holding pens in New Brockton, Alabama	50,000.00
--	-----------

The above appropriation shall be paid from the State General Fund.

**Section 7. ENTERPRISE AIRPORT
AUTHORITY:**

For the fiscal year ending September
30, 1974:

To purchase land to extend runway	50,000.00
The above appropriation shall be paid from the State General Fund.	

**Section 8. PEA RIVER HISTORICAL
AND GENEALOGICAL
SOCIETY:**

For the fiscal year ending September
30, 1974:

To purchase Enterprise Railroad Sta- tion to be used as a museum	50,000.00
The above appropriation shall be paid from the State General Fund.	

**Section 9. KINSTON CITY
RECREATION
AUTHORITY:**

For the fiscal year ending September
30, 1974:

To build a stadium	15,000.00
The above appropriation shall be paid from the State General Fund.	

Section 10. ARMORY COMMISSION:

(a) For the fiscal year ending Septem-
ber 30, 1974:

For the armory at Dothan	22,000.00	
For the armory at Arton	15,000.00	
For the armory at Prattville	6,000.00	
For the armory at Luverne	10,000.00	
Total		53,000.00

The above appropriation shall be
paid from the State General Fund.

(b) For the armory at Elba City	50,000.00	
For the armory at Enterprise City	95,000.00	
Total		145,000.00

The appropriation made in this
section (b) shall be paid from the
State General Fund and is con-
ditional upon the condition of the
Fund and with the approval of the
Governor.

REGULAR SESSION
29th Day

3439

**Section 11. MONTGOMERY
RIVERBOAT
COMMISSION, INC.:**

For the fiscal year ending September 30, 1974	50,000.00
--	-----------

The above appropriation shall be paid
from the State General Fund.

**Section 12. ALABAMA SPACE AND
ROCKET CENTER
COMMISSION:**

For the fiscal year ending September
30, 1974:

For expansion and enlargement of the Alabama Space and Rocket Center	100,000.00
---	------------

The above appropriation shall be paid
from the State General Fund.

**Section 13. ALABAMA HISTORICAL
COMMISSION:**

For the fiscal year ending September
30, 1974:

For transfer to the Alabama Historical
Commission:

For acquisition and development of Cahaba, the site of Alabama's first permanent Capitol	50,000.00
--	-----------

The above appropriation shall be paid
from the State General Fund.

**Section 14. STATE HIGHWAY
DEPARTMENT:**

For the fiscal year ending September
30, 1974:

For dredging channels from West Fowl River to eight foot depth contour near Intercoastal Canal and to Boyou Codon Channel	479,250.00
--	------------

The above appropriation shall be paid
from the State General Fund.

**Section 15. ALABAMA
EDUCATIONAL
TELEVISION
COMMISSION:**

For the fiscal year ending September
30, 1974:

For the construction and equipping of a broadcasting studio	1,000,000.00
--	--------------

The appropriation made in this section
shall be paid from the State General

Fund is conditional upon the condition of the Fund and with the approval of the Governor.

Section 16. BEAR CREEK
DEVELOPMENT
AUTHORITY:

For the fiscal year ending September 30, 1974:

For the construction of Environmental Facilities

350,000.00

The appropriation made in this section shall be paid from the State General Fund is conditional upon the condition of the Fund and with the approval of the Governor.

Section 17. AERONAUTICS
DEPARTMENT:

For the fiscal year ending September 30, 1974:

For the construction of an airport in the City of Arab

32,000.00

The appropriation made in this section shall be paid from the State General Fund is conditional upon the condition of the Fund and with the approval of the Governor.

Section 18. PUBLIC SAFETY
DEPARTMENT:

For the fiscal year ending September 30, 1974:

For building State Trooper office in Tuscaloosa County

75,000.00

The appropriation made in this section shall be paid from the State General Fund is conditional upon the condition of the Fund and with the approval of the Governor.

Section 19. ALABAMA STATE FAIR
AUTHORITY:

For the fiscal year ending September 30, 1974:

For the construction of a swine pavilion at the Alabama State Fair Grounds at Birmingham

50,000.00

The appropriation made in this section shall be paid from the State General Fund is conditional upon the condition of the Fund and with the approval of the Governor.

REGULAR SESSION
29th Day

3441

**Section 20. BOARD OF
CORRECTIONS:**

For the fiscal year ending September
30, 1974:

For construction and repairs to the Board of Corrections facilities	600,000.00
The appropriation made in this section shall be paid from the State General Fund is conditional upon the condition of the Fund and with the approval of the Governor.	

Section 21. OIL AND GAS BOARD:

For the repair and renovation of the Oil and Gas Building	10,000.00
The appropriation made in this section shall be paid from the State General Fund.	

Section 22. CLAY COUNTY:

For the fiscal year ending September
3, 1975:

For the construction of a Memorial Library at Ashland	25,000.00
The appropriation made in this section shall be paid from the State General Fund and is conditional upon the con- dition of the Fund with the approval of the Governor.	

**Section 23. CONSERVATION
DEPARTMENT:**

(a) Game and Fish Division:

For the fiscal year ending Septem-
ber 30, 1974:

For Land Acquisition	300,000.00
For storage buildings, office, sani- tary facilities, refuge manager housing, land clearing, road im- provements and water systems. Construction of Fisheries Re- search Station including ponds, holding shed, laboratory and water supplies. Construction im- provement and repair of public fishing lakes and access areas ..	
	495,000.00

Total	795,000.00
-------------	------------

For the fiscal year ending Septem-
ber 30, 1975:

For Land Acquisition	350,000.00
----------------------------	------------

JOURNAL OF THE HOUSE, 1973
29th Day

For storage buildings, office, sanitary facilities, refuge manager housing, land clearing, road improvements and water systems. Construction of Fisheries Research Station including ponds, holding shed, laboratory and water supplies. Construction improvement and repair of public fishing lakes and access areas 281,860.00

Total 631,860.00

The above appropriations shall be paid from the Game and Fish Fund.

(b) Water Safety Division:

For the fiscal year ending September 30, 1974:

For fencing District Headquarters at Wind Creek 1,000.00
For construction of Boat Storage Shed at Warehouse Complex 6,000.00
For construction, placement, maintenance of piers, ramps, and aids to navigation 26,698.00

Total 33,698.00

For the fiscal year ending September 30, 1975:

For construction, placement, maintenance of piers, ramps, and aids to navigation 30,698.00

The above appropriations shall be paid from the Water Safety Fund.

Section 24. All appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 25. This Act shall become effective October 1, 1973.

SUBSTITUTE TABLED

On motion of Mr. Mathews, the substitute #1 reported by the Standing Committee on Ways and Means to the bill, H. 323, was tabled.

Yeas 62; Nays 2.

Yeas:

Mr. Speaker
Adams
Bank
Barkett

Barron
Benton
Boutwell
Bowers

Burgess
Callahan
Carnes
Chesnut

Cottingham
Crawford
Crowe
Dill

Downing	Jackson	Meeks	Smith (K)
Easters	Jones (F)	Merrill	Stewart
Edwards	King	Naramore	Stubbs
Falkenburg	Kinsey	Nettles	Taylor
Fite	Lang	Owens	Turner
Gafford	Lutz	Parker	Turnham
Goodwin	McCluskey	Perloff	Waggoner
Grey (D)	McCorquodale	Reed (T)	Warren
Hale	McMillan	Reynolds	Weeks
Harris	Manley	Roberts	Williams
Headley	Mathews	Robertson	Wise
Hearn	May		

—62

Nays: Messrs. Brassell and Cross.

—2

Mr. Easters offered the following substitute to the bill, H. 323 as amended:

**A BILL
TO BE ENTITLED
AN ACT**

To make appropriations from the State Treasury for capital improvements.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from monies in the State Treasury to the credit of the funds designated herein for each of the two fiscal years ending September 30, 1974, and September 30, 1975, to be used for capital improvements only, the following amounts for the specific projects.

Section 2. **BOARD OF
COSMETOLOGY:**

For the fiscal year ending September
30, 1974:

For the construction and equipping of a Cosmetology Building	50,000.00
The above appropriation shall be paid from the Board of Cosmetology Fund.	

Section 3. **THE HANK WILLIAMS
MEMORIAL
COMMISSION:**

For the fiscal year ending September 30, 1974	100,000.00
--	------------

For the fiscal year ending September 30, 1975	100,000.00
--	------------

The appropriations made in this section
shall be paid from the State General
Fund.

Section 4 **COFFEE COUNTY
LIVESTOCK
EXPOSITION
AUTHORITY:**

For the fiscal year ending September
30, 1974:

To build holding pens in New Brockton, Alabama	50,000.00
The above appropriation shall be paid from the State General Fund.	

Section 5. ENTERPRISE AIRPORT
AUTHORITY:

For the fiscal year ending September 30, 1974:	
To purchase land to extend runway	50,000.00
The above appropriation shall be paid from the State General Fund.	

Section 6. PEA RIVER HISTORICAL
AND GENEALOGICAL
SOCIETY:

For the fiscal year ending September 30, 1974:	
To purchase Railroad Station to be used as a museum	50,000.00
The above appropriation shall be paid from the State General Fund.	

Section 7. KINSTON CITY
RECREATION
AUTHORITY:

For the fiscal year ending September 30, 1974:	
To build a stadium	15,000.00
The above appropriation shall be paid from the State General Fund.	

Section 8. ARMORY
COMMISSION:

(a) For the fiscal year ending September 30, 1974:	
For the armory at Dothan	22,000.00
For the armory at Arifton	15,000.00
For the armory at Prattville	6,000.00
For the armory at Luverne	10,000.00
For the parking lot at the new National Guard Armory at Huntsville	6,000.00
Total	59,000.00
The above appropriation shall be paid from the State General Fund.	
(b) For the armory at Elba City	50,000.00
For the armory at Enterprise City	95,000.00
Total	145,000.00

REGULAR SESSION
29th Day

3445

The appropriation made in this
section (b) shall be paid from the
State General Fund

**Section 9. MONTGOMERY
RIVERBOAT
COMMISSION, INC.:**

For the fiscal year ending September 30, 1974:	50,000.00
---	-----------

The above appropriation shall be paid
from the State General Fund.

**Section 10. ALABAMA SPACE AND
ROCKET CENTER
COMMISSION:**

For the fiscal year ending September 30, 1974:	100,000.00
---	------------

For expansion and enlargement of the
Alabama Space and Rocket Center .
The above appropriation shall be paid
from the State General Fund.

**Section 11. ALABAMA HISTORICAL
COMMISSION:**

For the fiscal year ending September
30, 1974:

For transfer to the Alabama Historical
Commission:

For acquisition and development of Cahaba, the site of Alabama's first permanent Capitol	50,000.00
--	-----------

The above appropriation shall be paid
from the State General Fund.

**Section 12. STATE HIGHWAY
DEPARTMENT:**

For the fiscal year ending September
30, 1974:

For dredging channels from West Fowl River to eight foot depth contour near Intercoastal Canal and to Boyou Codon Channel	479,250.00
--	------------

The above appropriation shall be paid
from the State General Fund.

**Section 13. BEAR CREEK
DEVELOPMENT
AUTHORITY:**

For the fiscal year ending September
30, 1974:

For the construction of Environmen- tal Facilities	350,000.00
---	------------

The appropriation made in this section shall be paid from the State General Fund.

Section 14. AERONAUTICS
DEPARTMENT:

For the fiscal year ending September 30, 1974:

For the construction of an airport in the City of Arab	32,000.00
The appropriation made in this section shall be paid from the State General Fund.	

Section 15. PUBLIC SAFETY
DEPARTMENT:

For the fiscal year ending September 30, 1974:

For building State Trooper office in Tuscaloosa County	75,000.00
The appropriation made in this section shall be paid from the State General Fund.	

Section 16. ALABAMA STATE FAIR
AUTHORITY:

For the fiscal year ending September 30, 1974:

For the construction of a swine pavilion at the Alabama State Fair Grounds at Birmingham	50,000.00
The appropriation made in this section shall be paid from the State General Fund.	

Section 17. BOARD OF
CORRECTIONS:

For the fiscal year ending September 30, 1974:

For construction and repairs to the Board of Corrections facilities	600,000.00
The appropriations made in this section shall be paid from the State General Fund.	

Section 18. OIL AND GAS BOARD:

For the repair and renovation of the Oil and Gas Building	10,000.00
The appropriations made in this section shall be paid from the State General Fund.	

REGULAR SESSION
29th Day

3447

Section 19. CLAY COUNTY:

For the construction of a Memorial Library at Ashland	25,000.00
The appropriation made in this section shall be paid from the State General Fund.	

Section 20. CONSERVATION
DEPARTMENT:

(a) Game and Fish Division:

For the fiscal year ending September 30, 1974:

For Land Acquisition	300,000.00
For storage buildings, office, sanitary facilities, refuge manager housing, land clearing, road improvements and water systems. Construction of Fisheries Research Station including ponds, holding shed, laboratory and water supplies. Construction improvement and repair of public fishing lakes and access areas	
	495,000.00
Total	795,000.00

For the fiscal year ending September 30, 1975:

For Land Acquisition	350,000.00
For storage buildings, office, sanitary facilities, refuge manager housing, land clearing, road improvements and water systems. Construction of Fisheries Research Station including ponds, holding shed, laboratory and water supplies. Construction improvement and repair of public fishing lakes and access areas.	
	281,860.00
Total	631,860.00

The above appropriations shall be paid from the Game and Fish Fund.

(b) Water Safety Division:

For the fiscal year ending September 30, 1974:

For fencing District Headquarters at Wind Creek	1,000.00
For construction of Boat Storage Shed at Warehouse Complex	6,000.00

JOURNAL OF THE HOUSE, 1973
29th Day

For construction, placement, maintenance of piers, ramps, and aids to navigation	26,698.00	
Total		33,698.00
For the fiscal year ending September 30, 1975:		
For construction, placement, maintenance of piers, ramps, and aids to navigation		30,698.00
The above appropriations shall be paid from the Water Safety Fund.		
(c) Parks Division—Monuments and Historical Sites:		
For the fiscal year ending September 30, 1974:		
For construction, placement and maintenance on the Little River Canyon Rim Parkway		30,000.00
The above appropriation shall be paid from the State Parks Fund.		
Section 21. HALE COUNTY:		
For the construction of an Agricultural Center		150,000.00
The above appropriation shall be paid from the State General Fund.		
Section 22. STATE BUILDING COMMISSION:		
For the fiscal year ending September 30, 1974:		
(a) For construction and equipping a building at Auburn University, Auburn, Alabama, for use and occupancy by Department of Agriculture and Industries as a livestock and poultry disease diagnostic laboratory and an agricultural chemistry laboratory		1,500,000.00
(b) For completion of construction and equipping of Richard Beard Building for Department of Agriculture and Industries		151,000.00
The appropriations made in this Section shall be paid from the State General Fund.		
Section 23. S. D. BISHOP STATE JUNIOR COLLEGE:		
For the fiscal year ending September 30, 1974:		
For the purchase of Caldwell School		350,000.00

REGULAR SESSION
29th Day

3449

Section 24. LIVESTOCK COLISEUM:

For the fiscal year ending September
30, 1974:

For construction and equipping a swine
exhibit barn at the Garrett Coliseum
in Montgomery

145,000.00

This appropriation made in this Section
shall be paid from the State General
Fund.

Section 25. All appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940. Provided further that all appropriations contained in this Act shall be conditional upon the condition of the treasury and the approval of the Governor.

Section 26. This Act shall become effective October 1, 1973.

SUBSTITUTE TABLED

On motion of Mr. Mathews, the substitute offered by Mr. Easters to the bill, H. 323 as amended, was tabled.

Yeas 51; Nays 37.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adwell	Doss	Lang	Reynolds
Agee	Drake	McCorquodale	St. John
Bassett	Ellis	McDonald	Smith (K)
Boutwell	Erdreich	McMillan	Smith (P)
Bowers	Falkenburg	McNair	Snell
Callahan	Fite	Mathews	Timmons
Carter	Goodwin	Meeks	Turner
Cauthen	Grey (D)	Merrill	Waggoner
Connell	Hardin	Naramore	Warren
Cottingham	Headley	O'Daniel	Weeks
Crawford	Hearn	Owens	Williams
Cross	Hughes	Parker	

—51

Nays:

Messrs.:	Easters	Kinsey	Slate
Adams	Edwards	Lutz	Stubbs
Bank	Gafford	McCluskey	Taylor
Barkett	Grainger	May	Therrell
Barron	Hale	Nettles	Turnham
Brassell	Harris	Perloff	Waldrop
Carnes	Hill	Porter	Wise
Chesnut	Hobbie	Pruitt	Wood
Collins	Jones (F)	Robertson	Wynot
Downing	King		

—37

Mr. Grainger offered the following amendment to the bill, H. 323 as amended:

Insert immediately after the last appropriating section the following additional section:

Section . OCCUPATIONAL HEALTH AND SAFETY:

For each of the fiscal years ending September 30, 1974 and September 30, 1975:

For the Institute of Occupational Health and Safety
at Huntsville125,000.00

The above appropriation shall be paid from the state general fund.

And the amendment was lost.

Yeas 22; Nays 46.

Yeas:

Messrs.:	Easters	Headley	Manley	
Adams	Edwards	Hearn	Reed (T)	
Brassell	Fite	Hill	Stubbs	
Burgess	Grainger	King	Waldrop	
Carnes	Gray (F)	Lang	Wood	
Coshatt	Hale	Lutz		—22

Nays:

Mr. Speaker	Cross	McCorquodale	Reynolds	
Adwell	Crowe	McMillan	Slate	
Agee	Dill	McNair	Smith (K)	
Barkett	Doss	Meeks	Snell	
Barron	Downing	Merrill	Stewart	
Boutwell	Ellis	Naramore	Therrell	
Bowers	Erdreich	Nettles	Timmons	
Callahan	Gafford	Owens	Waggoner	
Collins	Goodwin	Parker	Wallace	
Connell	Harris	Perloff	Warren	
Cottingham	Jackson	Pruitt	Williams	
Crawford	McCluskey			—46

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 342. To authorize the Division of Marine Resources of the Department of Conservation and Natural Resources to sell or barter for the purpose of establishing fishing reefs in offshore waters of Alabama certain liberty ships now in the custody of said Division for the benefit of the states of Alabama, Mississippi and Florida, creating a commission to oversee and direct the action of the Department of Conservation and Natural Resources under the provisions of this Act.

McDOWELL LEE,
Secretary.

H. 323 RESUMED

Mr. Burgess offered the following amendment to the bill, H. 323 as amended:

At the end of Section 0 add the following:

REGULAR SESSION
29th Day

3451

(c) For the armory at Jacksonville	80,000.00	
Total		225,000.00

The appropriation made in this section
(c) shall be paid from the State General Fund.

And the amendment was lost.

Yeas 21; Nays 39.

Yeas:

Messrs.:	Crowe	Manley	Stewart
Brassell	Edwards	Merrill	Stubbs
Burgess	Fite	Porter	Taylor
Carnes	Grey (D)	Pruitt	Waldrop
Cauthen	Headley	Smith (P)	Weeks
Coshatt	Lang		
			—21

Nays:

Mr. Speaker	Cross	Hearn	Parker
Adwell	Dill	Hill	Perloff
Barkett	Doss	Jackson	Reynolds
Barron	Downing	McCluskey	Slate
Boutwell	Falkenburg	McMillan	Smith (K)
Bowers	Gafford	McNair	Snell
Callahan	Goodwin	Meeks	Therrell
Carter	Grainger	Naramore	Timmons
Connell	Hale	Nettles	Warren
Crawford	Harris	Owens	
			—39

Messrs. McDonald, St. John and Drake offered the following amendment to the bill, H. 323 as amended:

In Section 10, on page 6 of the bill, strike subsection (b) and insert in lieu thereof the following:

For the armory at Elba City	50,000.00	
For the armory at Enterprise City	95,000.00	
For the armory at Guntersville	80,000.00	
Total		225,000.00

The above appropriation shall be paid from the State General Fund.

And the amendment was lost.

Yeas 33; Nays 41.

Yeas:

Messrs.:	Crowe	Hill	Pruitt
Adams	Drake	Hughes	Reed (T)
Bank	Easters	Jones (F)	St. John
Bassett	Edwards	Lang	Slate
Brassell	Fite	Lutz	Smith (P)
Burgess	Grainger	McDonald	Stubbs
Carnes	Gray (F)	Manley	Waldrop
Chesnut	Grey (D)	Porter	Weeks
Coshatt	Hardin		
			—33

Nays:

Messrs.:	Dill	McCorquodale	Reynolds
Adwell	Doss	McMillan	Smith (K)
Barron	Ellis	McNair	Snell
Boutwell	Erdreich	Meeks	Stewart
Bowers	Falkenburg	Merrill	Therrell
Callahan	Gafford	Naramore	Timmons
Collins	Goodwin	Nettles	Turner
Connell	Harris	Owens	Waggoner
Cottingham	Hearn	Parker	Wallace
Crawford	Jackson	Perloff	Warren
Cross	McCluskey		

—41

Mr. Lang offered the following amendment to the bill, H. 323 as amended:

Insert a new Section 25 to read as follows:

Section 25. Pickens County School Board

For the fiscal year ending September 30, 1974:

For constructing or reconstructing and/or equipping a Vocational— Technical High School	40,000.00
---	-----------

The appropriation made in this Section shall be paid from the Alabama Special Education Trust Fund.

And the amendment was lost.

Yeas 21; Nays 37.

Yeas:

Messrs.:	Coshatt	King	St. John
Adams	Crowe	Lang	Slate
Brassell	Easters	Manley	Smith (P)
Carnes	Edwards	Porter	Stubbs
Cauthen	Fite	Reed (T)	Waldrop
Chesnut	Gray (F)		

—21

Nays:

Messrs.:	Doss	McCluskey	Perloff
Adwell	Ellis	McMillan	Reynolds
Barron	Falkenburg	McNair	Smith (K)
Callahan	Gafford	Meeks	Stewart
Collins	Goodwin	Merrill	Therrell
Connell	Harris	Naramore	Timmons
Cottingham	Hearn	Nettles	Waggoner
Crawford	Hill	Owens	Wallace
Cross	Hughes	Parker	Warren
Dill	Jackson		

—37

Messrs. Waldrop, Carnes and Wynot offered the following amendment to the bill, H. 323 as amended:

Amend Ways and Means Substitute for H. B. 323, Section 25 (b) by adding the following conditional appropriation:

REGULAR SESSION
29th Day

3453

Gadsden City:

For the construction and equipping of a high school at Gadsden	\$300,000.00
---	--------------

And the amendment was lost.

Yeas 32; Nays 35.

Yeas:

Messrs.:	Easters	Lang	St. John
Adams	Edwards	Manley	Slate
Bassett	Ellis	Naramore	Smith (P)
Brassell	Fite	O'Daniel	Stubbs
Burgess	Gray (F)	Porter	Taylor
Carnes	Grey (D)	Pruitt	Waldrop
Cauthen	Hardin	Reed (T)	Weeks
Chesnut	King	Reid (R)	Wynot
Coshatt			
			—32

Nays:

Messrs.:	Dill	Jackson	Reynolds
Adwell	Doss	McCluskey	Smith (K)
Barkett	Falkenburg	McDonald	Snell
Barron	Flippo	McNair	Stewart
Boutwell	Gafford	Meeks	Stokes
Casey	Goodwin	Merrill	Timmons
Collins	Grainger	Nettles	Waggoner
Connell	Hearn	Parker	Wallace
Crawford	Hill	Perloff	Warren
			—35

Mr. Grainger offered the following amendment to the bill, H. 323 as amended:

Amend H. B. 323 by deleting Sections 28, 29, and 30.

And the amendment was adopted.

Yeas 44; Nays 26.

Yeas:

Messrs.:	Fite	McDonald	Stubbs
Adams	Flippo	Manley	Taylor
Barkett	Grainger	Meeks	Therrell
Barron	Gray (F)	Nettles	Timmons
Callahan	Headley	O'Daniel	Waggoner
Carnes	Hearn	Owens	Waldrop
Carter	Hill	Perloff	Wallace
Cauthen	Jones (F)	Pruitt	Warren
Collins	Lang	Reed (T)	Williams
Cross	Lutz	St. John	Wood
Dill	McCluskey	Slate	Wynot
Easters			
			—44

Nays:

Messrs.:	Burgess	Cottingham	Culver
Boutwell	Chesnut	Crawford	Edwards
Bowers	Connell	Crowe	Falkenburg

Gafford	Merrill	Reynolds	Snell
Goodwin	Naramore	Robertson	Stewart
Jackson	Parker	Smith (K)	Stokes
McNair	Porter	Smith (P)	

—26

Mr. Hale offered the following amendment to the bill, H. 323 as amended:

Amend House Bill 323, as substituted, in Section 10. ARMORY COMMISSION: (a) by adding after the words and figures

"For the armory at Luverne . . . 10,000.00" the following words:

For the parking lot at the new National Guard Armory at Huntsville . . . 6,000.00"

Further amend by striking the figures "53,000.00" in the total and substituting the figures "59,000.00".

And the amendment was lost.

Yeas 26; Nays 42.

Yeas:

Messrs.:	Grainger	Lang	Reid (R)
Adams	Gray (F)	Lutz	Slate
Carnes	Grey (D)	Manley	Smith (P)
Cauthen	Hale	O'Daniel	Stubbs
Easters	Hearn	Porter	Waldrop
Edwards	Jones (F)	Pruitt	Wynot
Fite	King	Reed (T)	

—26

Nays:

Messrs.:	Crawford	Hughes	Perloff
Adwell	Crowe	Jackson	Smith (K)
Barkett	Culver	McCluskey	Snell
Barron	Dill	McMillan	Stewart
Boutwell	Doss	McNair	Stokes
Bowers	Erdreich	Meeks	Therrell
Burgess	Falkenburg	Merrill	Timmons
Callahan	Flippo	Naramore	Waggoner
Carter	Gafford	Nettles	Wallace
Collins	Harris	Owens	Warren
Connell	Hill	Parker	

—42

H. 323 POSTPONED

On motion of Mr. Lyons, the bill, H. 323 as amended, was temporarily postponed.

Yeas 71; Nays 16.

Yeas:

Mr. Speaker	Bowers	Cauthen	Doss
Adwell	Brassell	Collins	Downing
Bank	Burgess	Cottingham	Drake
Barkett	Callahan	Cross	Easters
Barron	Carnes	Crowe	Ellis
Boles	Carter	Culver	Erdreich
Boutwell	Casey	Dill	Falkenburg

REGULAR SESSION
29th Day

3455

Fite	McDonald	Reed (T)	Stubbs
Flippo	McMillan	Reid (R)	Therrell
Gafford	McNair	Roberts	Timmons
Goodwin	Manley	Reynolds	Turner
Grey (D)	Mathews	Robertson	Waldrop
Harris	Merrill	St. John	Wallace
Hearn	Nettles	Slate	Warren
Hill	O'Daniel	Smith (K)	Weeks
Hughes	Owens	Smith (P)	Williams
Jones (F)	Parker	Snell	Wood
Lang	Pruitt	Stewart	

—71

Nays:

Messrs.:	Crawford	King	May
Adams	Grainger	Kinsey	Meeks
Benton	Hale	Lutz	Perloff
Connell	Jackson	McCluskey	Stokes
Coshatt			

—16

And the bill:

H. 561. To authorize county and city boards of education to provide one hundred twenty-four dollars (\$124) per annum per teacher toward the purchase of a group hospital/medical insurance program selected by a majority of the teachers and to make an appropriation from the Alabama Special Educational Trust Fund therefor.

Was taken up.

H. 561 POSTPONED

On motion of Mr. Drake, the bill, H. 561, was indefinitely postponed.

And the bill:

H. 1702. To amend Sections 10, 12, 15, 21 and 23 of Act No. 351, H. 285, Regular Session 1963 (Acts 1963, p. 844) to provide an alternate method of collecting assessments for the promotion of the production, marketing and use of eggs and poultry products.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Carnes	Doss	Grey (D)
Adams	Carter	Downing	Hale
Adwell	Casey	Drake	Hardin
Agee	Cauthen	Easters	Harris
Bank	Chesnut	Edwards	Hearn
Barkett	Collins	Ellis	Hill
Barron	Connell	Erdreich	Hughes
Benton	Coshatt	Falkenburg	Jackson
Boles	Cottingham	Fite	Jones (F)
Boutwell	Crawford	Flippo	King
Bowers	Cross	Gafford	Kinsey
Brassell	Crowe	Goodwin	Lang
Burgess	Culver	Grainger	Lutz
Callahan	Dill	Gray (F)	McCluskey

McDonald	Owens	Slate	Turnham
McMillan	Parker	Smith (K)	Waggoner
McNair	Perloff	Smith (P)	Waldrop
Manley	Porter	Snell	Wallace
Mathews	Pruitt	Stewart	Warren
May	Reed (T)	Stokes	Weeks
Meeks	Reynolds	Taylor	Williams
Merrill	Roberts	Therrell	Wise
Naramore	Robertson	Timmons	Wood
Nettles	St. John	Turner	Wynot

—96

And the bill:

H. 2. (With Substitute): To amend Act No. 2289, H. 101 of the 1971 Regular Session, which provides a cost of living increase to certain retired members of the Teachers' Retirement System of Alabama, so as to increase the raise in retirement benefits and the appropriation therefor.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 366 of the Title 52 of the Code of Alabama as amended which relates to the Teachers' Retirement System of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 366 of Title 52 of the Code of Alabama as amended be and is hereby amended to read as follows:

S. 366. **BENEFITS.** (1) (a) Any member who withdraws from service upon or after attainment of age sixty may retire upon written application to the Board of Control setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof he desires to be retired, provided that any such member who became a member on or after October 1, 1963 shall have completed ten or more years of creditable service.

(b) Any member who has attained age sixty and has previously withdrawn from service may retire upon written application to the Board of Control setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof, he desires to be retired, provided that the said member shall have completed at the time for his withdrawal from service, the requirements established by the Board of Control for eligibility for deferred benefits pursuant to Section 364 of this title.

(c) Any teacher in service who has attained age seventy shall be retired, or shall withdraw from service, forthwith, provided that with the approval of his employer, he may remain in service until the end of the then current school year which shall be no later than June 30 following the date on which he attains age seventy.

(2) Upon retirement from service a member shall receive a service retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(b) a pension which shall be equal to the annuity allowable at age of retirement, but not to exceed an annuity allowable at age sixty-five computed on the basis of contributions made prior to the attainment of age sixty-five; and

(c) if he has a prior service certificate in full force and effect an additional pension which shall be equal to the annuity which would have been provided at age of retirement, but not to exceed an annuity allowable at age sixty-five by twice the contributions which he would have made during the period of prior service with which he is credited, had the system been in operation and had he contributed thereunder. In lieu of a determination of the actual compensation of the members that was received during such prior service, the Board of Control may use for the purposes of this chapter the compensation rates which, if they had progressed with the rates of salary increase shown in the tables as prescribed in Section 367, subsection (13), of this title, would have resulted in the same average salary of the member for the five years immediately preceding the date of establishment as the records show the member actually received; and

(d) the annual service retirement pension payable to a member retiring on or after October 1, 1971 shall not be less than an amount which when added to his annuity is equal to the greater of the following two amounts: (i) one and three-fourths per centum of the member's average final compensation multiplied by the number of years of his creditable service, provided that no member shall receive in excess of (80) eighty per centum of average final compensation except as otherwise provided by the Legislature. Or (ii) if he became a member before October 1, 1971, \$72.00 multiplied by the number of years of his creditable service not in excess of twenty-five years. Notwithstanding those members who retired prior to October 1, 1971 under Service retirement shall receive \$100.80 multiplied by the number of years of his creditable service not in excess of twenty-five years.

(2½) Upon the application of a member in service or of his employer, any member who has had ten or more years of creditable service may be retired by the Board of Control on a disability retirement allowance not less than thirty nor more than ninety days next following the date of filing such an application; provided that the Medical Board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired.

(2½) Upon retirement for disability a member shall receive a service retirement allowance if he has attained age 60, otherwise he shall receive a disability retirement allowance which shall consist of;

(a) an annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement and

(b) a pension which shall be equal to the pension that would have been payable under paragraphs (b) and (c) of Subsection (2) of this Section upon service retirement at age 60 had the member continued in service to said age

without change in compensation, reduced by one fourth of one per centum for each month by which his date of retirement precedes his sixtieth birthday to a maximum reduction of twenty-five per centum. The annual disability retirement pension shall not be less than an amount which when added to his annuity is equal to the greater of the following two amounts: (i) one and three-fourths per centum of the member's average final compensation multiplied by the number of years of creditable service reduced by one fourth of one per centum for each month by which his date of retirement precedes his sixtieth birthday to a maximum reduction of twenty-five per centum or (ii) if he became a member before October 1, 1971, \$54.00 multiplied by the number of years of his creditable service not in excess of twenty-five years. Notwithstanding those members who retired prior to October 1, 1971 for disability shall receive \$75.60 multiplied by the number of years of his creditable service not in excess of twenty-five years.

(2 $\frac{3}{4}$) (a) Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three year period thereafter the Board of Control may, and upon his application shall require any disability beneficiary who has not yet attained age sixty to undergo a medical examination, such examination to be made at the place of residence of such beneficiary or other place mutually agreed upon, by a physician of or designated by the Medical Board. Should any disability beneficiary who has not yet attained age sixty refuse to submit to such medical examination, his pension may be discontinued until his withdrawal of such refusal and should his refusal continue for one year, all his rights in and to his pension may be revoked by the Board of Control.

(b) Should the Medical Board report and certify to the Board of Control that a disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation, and should the Board of Control concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him shall equal the amount of his average final compensation. Should his earning capacity be later changed, the amount of his pension may be further modified; provided that the new pension shall not exceed the amount of the pension originally granted, nor an amount which, when added to the amount earnable by the beneficiary together with his annuity, equals the amount of his average final compensation.

(3) (a) Should a member cease to be a teacher except by death or by the credit of his individual account in the annuity savings fund shall be paid to him upon his demand, and in addition to such payment there shall be paid five-tenths of the interest accumulations standing to the credit of his individual account if he shall have not less than three but less than sixteen years of membership service, six-tenths of such interest accumulations if he shall have not less than sixteen, but less than twenty-one years of membership service, seven-tenths of such interest accumulations if he shall have not less than twenty-one but less than twenty-six years of membership service and eight-tenths of such interest accumulations if he shall have not less than twenty-six years of membership service.

(b) In case of the death of a member eligible for service retirement pursuant to Subsection (1) of this section, an allowance shall be paid to the surviving spouse in an amount that would have been payable if the member had

retired immediately prior to his death and had elected Option 3, as set forth in Subsection (4) of this section; or

(c) In case of the death of a member not eligible for service retirement, after completion of twenty-five years of creditable service, an allowance shall be paid to the surviving spouse in an amount that would have been payable if the member had retired for disability immediately prior to his death and had elected Option 3, as set forth in Subsection (4) of this section, or if the surviving spouse desires he may choose to receive the accumulated contributions of the member in lieu of the allowance provided under Option 3, plus an amount equal to the accumulated contributions of the member not to exceed \$5,000.00; or

(d) Upon the death of a member on account of whom no survivor allowance is payable under (b) or (c) above the accumulated contributions of the member plus an amount equal to the accumulated contributions not to exceed \$5,000.00 shall be paid to his estate, or to such person as he shall have nominated by written designation duly executed and filed with the Board of Control.

(4) With the provision that no election of an option shall be effective until the end of the month following the effective date of retirement, and that should a beneficiary die before his first benefit payment is due at the end of the month following the effective date of retirement, he shall be considered as an active member at the time of death, any member may elect prior to retirement to receive, in lieu of his retirement allowance payable throughout life the actuarial equivalent at that time of his retirement allowance in a reduced retirement allowance payable throughout life with the provision that: Option 1. If he dies before he has received in annuity payments the present value of his annuity as it was at the time of his retirement, the balance shall be paid to his legal representatives of to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control; or Option 2. Upon his death, his reduced retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control at the time of his retirement; or Option 3. Upon his death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control at the time of his retirement; or Option 4. Some other benefit or benefits shall be paid either to the member or to such person or persons as he shall nominate, provided such other benefit or benefits, together with the reduced retirement allowance, shall be certified by the actuary to be of equivalent actuarial value to his retirement allowance and shall be approved by the Board of Control.

(5) (a) Should any beneficiary be restored to active service from service retirement, or from disability retirement on or after attainment of age fifty, his retirement allowance shall be suspended until he again withdraws from service, he shall not again become a member, nor shall he make contributions, except that should such beneficiary, who has been restored to active service, continue in service for a period of five or more years from the date of his re-entry into active service, he may request the Board of Control to allow him to again become a member of the Retirement System. The Board of Control may grant the request for restoration to membership provided such beneficiary whose retirement allowance has been suspended repays to the system all monies received by him as benefits during any periods subsequent to

the date of his re-entry into active service and provided further that he makes a contribution equal to the amount he would have contributed had he been a member during the period of his restoration to active service on a suspended allowance basis, together with the interest which would have been credited to the contributions on account of such period of restoration up to the date such contribution is made.

(b) Should any beneficiary on disability retirement be restored to active service before reaching age fifty, he shall again become a member of the Retirement System and shall make contributions.

(6) (a) All retirement allowance payments due on or after October 1, 1973 to members who retired prior to October 1, 1971 shall be redetermined as if the provisions of subsection (2) and (2½) of this section which became effective on said date were in effect at the time the member retired, provided that the annual retirement allowance of any member who retired on or before January 1, 1956 shall be not less than \$110.88 multiplied by the number of years of his creditable service not in excess of thirty years, in the case of service retirement, or \$83.16 multiplied by the number of years of creditable service not in excess of thirty years, in the case of disability retirements. Any increase provided in the retirement allowance payment under this subsection (6) for a member who retired under the provisions of any optional benefit elected pursuant to subsection (4) of this section shall accrue only to the retired member, and no person designated to receive any payments after the death of a retired member under the provisions of any such optional benefit shall receive any increase in such payments under this subsection.

(b) Any person who served at least thirty years as a teacher in the public schools of Alabama and was never a member of the system and who, prior to October 1, 1963, was in receipt of a benefit for old age assistance pursuant to subsection (1) and (2) of Section 1 of Act 116, approved August 24, 1959 shall be entitled to receive an annual retirement allowance of \$3,326.40 from the System, effective as of October 1, 1973.

(c) Prior to October 31, 1973 any beneficiary may elect to leave on deposit with the system all or a specified part of any increase in his monthly retirement allowance payments arising in accordance with paragraph (a) or (b) of this subsection. The portion of each monthly payment left in the system in accordance with such election shall be credited, together with regular interest thereon, to the individual account of such beneficiary. Upon the death of such beneficiary the total amount standing to his credit, including regular interest to the date of death, shall be paid in a lump sum to his legal representative or to such person as he shall have nominated by written designation duly acknowledged and filed with the Board of Control.

Section 2. Appropriation. There is hereby appropriated from any monies in the Alabama Special Education Trust Fund the amount of \$1,300,000.00 for the fiscal year beginning October 1, 1973 and \$1,100,000.00 for the fiscal year beginning October 1, 1974 for the purpose of carrying out the provisions of this Act. Thereafter such amounts as are necessary shall be included in the biennial appropriation Bill which is submitted to the Legislature under the provisions of Section 369 of Title 52 of the Code of Alabama of 1940 as amended.

Section 3. The benefits provided by this Act are not retroactive nor shall they apply to any deceased retired teacher.

REGULAR SESSION
29th Day

3461

Section 4. This Act shall become effective October 1, 1973.

And the substitute was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Roberts
Adams	Doss	Kinsey	Robertson
Adwell	Downing	Lang	St. John
Agee	Drake	Lutz	Slate
Bank	Easters	McCluskey	Smith (K)
Barkett	Edwards	McCorquodale	Smith (P)
Barron	Ellis	McDonald	Snell
Bassett	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	Nettles	Waggoner
Cauthen	Hardin	Owens	Waldrop
Chesnut	Harris	Parker	Wallace
Collins	Headley	Perloff	Warren
Connell	Hearn	Porter	Weeks
Coshatt	Hill	Pruitt	Williams
Cottingham	Hughes	Reed (T)	Wise
Crawford	Jackson	Reid (R)	Wood
Cross	Jones (F)	Reynolds	Wynot
Crowe			

—97

Mr. Turnham offered the following amendment to the bill, H. 2 as amended:

On page 2, line 5 strike the figure "\$100.80" and insert in lieu thereof:
\$120.00

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Carnes	Edwards	Hill
Adams	Carter	Ellis	Hughes
Adwell	Casey	Erdreich	Jackson
Agee	Chesnut	Falkenburg	Jones (F)
Bank	Collins	Fite	King
Barkett	Connell	Flippo	Kinsey
Barron	Cottingham	Gafford	Lang
Bassett	Crawford	Goodwin	Lutz
Benton	Cross	Grainger	McCluskey
Boles	Crowe	Gray (F)	McCorquodale
Boutwell	Culver	Grey (D)	McDonald
Bowers	Doss	Hale	McMillan
Brassell	Downing	Hardin	McNair
Burgess	Drake	Harris	Manley
Callahan	Easters	Hearn	Mathews

May	Porter	Smith (K)	Waggoner
Meeks	Pruitt	Smith (P)	Waldrop
Merrill	Reed (T)	Snell	Wallace
Naramore	Reid (R)	Stewart	Warren
Nettles	Reynolds	Stokes	Weeks
O'Daniel	Roberts	Taylor	Williams
Owens	Robertson	Therrell	Wise
Parker	St. John	Turner	Wood
Perloff	Slate	Turnham	

—95

And the bill:

H. 2. To amend Section 366 of the Title 52 of the Code of Alabama as amended which relates to the Teachers' Retirement System of Alabama.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McCluskey	Smith (K)
Barron	Easters	McCorquodale	Smith (P)
Bassett	Edwards	McDonald	Snell
Benton	Ellis	McMillan	Stewart
Boles	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Goodwin	Merrill	Turner
Carnes	Grainger	Mims	Turnham
Carter	Gray (F)	Naramore	Waggoner
Casey	Grey (D)	Nettles	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hughes	Reed (T)	Wynot
Cross	Jackson	Reid (R)	

—103

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" to have their names added as co-sponsors to the bill, H. 2.

And the bill:

H. 1558. To authorize the Alabama Public School and College Authority to sell and issue \$5,475,000 aggregate principal amount of additional bonds for capital improvements for Auburn University, and more particularly to modernize the Agricultural Experiment Station by relocating and developing modern new field research facilities for the Main Station and certain facilities at certain outlying stations, to provide a base for a major expansion in

agriculture and forestry; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Dill	Kinsey	Roberts
Adams	Doss	Lang	Robertson
Agee	Downing	Lutz	St. John
Bank	Drake	McCluskey	Slate
Barkett	Easters	McCorquodale	Smith (K)
Barron	Edwards	McDonald	Smith (P)
Bassett	Ellis	McMillan	Snell
Benton	Erdreich	McNair	Stewart
Boles	Fite	Manley	Stokes
Boutwell	Flippo	Mathews	Stubbs
Bowers	Gafford	May	Taylor
Brassell	Goodwin	Meeks	Therrell
Burgess	Grainger	Merrill	Timmons
Carnes	Gray (F)	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Chesnut	Harris	Parker	Wallace
Collins	Headley	Perloff	Warren
Connell	Hearn	Porter	Weeks
Coshatt	Hill	Pruitt	Williams
Cottingham	Hughes	Reed (T)	Wise
Crawford	Jackson	Reid (R)	Wood
Cross	Jones (F)	Reynolds	Wynot
Crowe	King		

—98

And the bill:

H. 1484. To provide a division of accounts, insurance and registration

within the Public Service Commission; to provide for the chief of such division and provide for his salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Reynolds
Adams	Dill	Jones (F)	Roberts
Adwell	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Easters	Lang	Slate
Barkett	Edwards	Lutz	Smith (K)
Barron	Ellis	McCluskey	Snell
Bassett	Erdreich	McCorquodale	Stokes
Benton	Falkenburg	McMillan	Stubbs
Boles	Fite	McNair	Taylor
Boutwell	Flippo	Manley	Therrell
Bowers	Gafford	Merrill	Timmons
Brassell	Goodwin	Naramore	Turner
Carnes	Grainger	Nettles	Turnham
Carter	Gray (F)	O'Daniel	Waggoner
Chesnut	Hale	Owens	Wallace
Collins	Hardin	Parker	Warren
Connell	Harris	Perloff	Weeks
Coshatt	Headley	Porter	Williams
Cottingham	Hearn	Pruitt	Wise
Crawford	Hill	Reed (T)	Wood
Cross	Hughes	Reid (R)	Wynot
Crowe			

—89

And the bill:

H. 176. (With Amendment): To amend the title and Sections 1 and 4 of Act No. 1134, S. 519, Regular Session 1969 (Acts 1969, p. 2099), which act provides for certain school lunchroom managers and assistant managers to become members of the Teachers' Retirement System of Alabama and to receive the benefits therefrom, subject to certain conditions, and which appropriates certain funds to carry out the provisions of said act; so as to include all regularly employed workers in school lunchrooms within the provisions of said act, and to provide an additional appropriation for the purposes of carrying out the provisions of this act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

In Section 4 insert after the dollar sign the figures:

2,000,000.00.

Also, in Section 4 delete the figures: "1973"

and insert in lieu thereof the words and figures: 1974 and each fiscal year thereafter.

And the amendment was adopted.

REGULAR SESSION
29th Day

3465

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Agee	Doss	Kinsey	Slate
Bank	Downing	Lang	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Barron	Easters	McCorquodale	Snell
Bassett	Edwards	McDonald	Stewart
Benton	Ellis	McMillan	Stokes
Boles	Erdreich	McNair	Stubbs
Boutwell	Falkenburg	Manley	Taylor
Bowers	Fite	Mathews	Therrell
Brassell	Flippo	May	Timmons
Burgess	Gafford	Meeks	Turner
Carnes	Goodwin	Merrill	Turnham
Carter	Grainger	Naramore	Waggoner
Casey	Gray (F)	Nettles	Waldrop
Cauthen	Gray (D)	O'Daniel	Wallace
Chesnut	Hale	Owens	Warren
Collins	Hardin	Perloff	Weeks
Connell	Harris	Porter	Williams
Coshatt	Headley	Pruitt	Wise
Cottingham	Hearn	Reid (R)	Wood
Crawford	Hill	Reynolds	Wynot
Cross	Hughes		

—98

And the bill, H. 176 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Dill	Kinsey	Roberts
Adwell	Doss	Lang	Robertson
Agee	Downing	Lutz	St. John
Bank	Drake	McCluskey	Slate
Barkett	Easters	McCorquodale	Smith (K)
Barron	Edwards	McDonald	Smith (P)
Bassett	Ellis	McMillan	Snell
Benton	Erdreich	McNair	Stewart
Boles	Falkenburg	Manley	Stokes
Boutwell	Fite	Mathews	Stubbs
Bowers	Flippo	May	Taylor
Brassell	Gafford	Meeks	Therrell
Burgess	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Gray (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot
Crowe	Jones (F)		

—102

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" on the bill, H. 176, to be added as co-sponsor.

And the bill:

H. 1309. To make a conditional supplemental appropriation to the Department of Public Safety for the fiscal years ending September 30, 1974 and September 30, 1975.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Reynolds
Adwell	Dill	Jones (F)	Roberts
Agee	Doss	King	Robertson
Bank	Downing	Kinsey	St. John
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Snell
Benton	Edwards	McCorquodale	Stewart
Boles	Ellis	McDonald	Stokes
Boutwell	Erdreich	McMillan	Stubbs
Bowers	Falkenburg	McNair	Taylor
Brassell	Fite	Manley	Therrell
Burgess	Flippo	Mathews	Timmons
Callahan	Gafford	May	Turner
Carnes	Goodwin	Meeks	Turnham
Carter	Grainger	Merrill	Waggoner
Casey	Gray (F)	Naramore	Waldrop
Cauthen	Grey (D)	Nettles	Wallace
Chesnut	Hale	O'Daniel	Warren
Connell	Hardin	Parker	Weeks
Coshatt	Harris	Perloff	Williams
Cottingham	Headley	Porter	Wise
Crawford	Hearn	Pruitt	Wood
Cross	Hill	Reed (T)	Wynot
Crowe	Hughes	Reid (R)	

—95

And the bill:

H. 417. (With Amendment): To provide for additional employees in the Legislative Reference Service and to further provide for the periodic travel into the various legislative districts in order to aid and assist the legislators in carrying out their duties and makes an appropriation to carry out the provisions of this Act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend H. B. 417 by deleting Section 3 in its entirety and renumber subsequent sections.

And the amendment was adopted.

REGULAR SESSION
29th Day

3467

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Bank	Doss	Lang	St. John
Barkett	Downing	Lutz	Smith (K)
Barron	Drake	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Naramore	Waggoner
Casey	Hale	Nettles	Waldrop
Cauthen	Hardin	O'Daniel	Wallace
Chesnut	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reid (R)	Wynot

—96

Mr. Erdreich offered the following amendment to the bill, H. 417 as amended:

Strike out Section 1 in its entirety and insert in lieu thereof the following:

Section 1. The Legislative Reference Service shall provide further assistance to the members of the Legislature by providing at least one analyst for each congressional district, specifically charged with the duty of assisting the members of the Alabama Legislature from that Congressional District, and at least three additional analysts who shall also be specifically assigned to work for members of the Legislature; but who shall not be assigned to any particular Congressional District. Such analysts shall be subject to call from the members of the Legislature and may make field trips into the home districts of the member whenever the matters on which such member has requested help can best be handled by the analyst's presence in such area. The work of these analysts shall be supervised and coordinated by the Legislative Council with the advice of the members of the Legislature.

And the amendment was adopted.

Yeas 81; Nays 7.

Yeas:

Messrs.:	Bassett	Burgess	Coshatt
Adams	Benton	Callahan	Cottingham
Adwell	Boles	Carnes	Cross
Bank	Boutwell	Carter	Crowe
Barkett	Bowers	Chesnut	Culver
Barron	Brassell	Connell	Dill

29th Day

Doss	Hill	Naramore	Snell
Downing	Hughes	Nettles	Stewart
Easters	Jackson	O'Daniel	Stokes
Ellis	Jones (F)	Parker	Stubbs
Erdreich	King	Perloff	Therrell
Falkenburg	Lang	Porter	Turner
Fite	Lutz	Pruitt	Turnham
Flippo	McDonald	Reed (T)	Waggoner
Goodwin	McMillan	Reid (R)	Waldrop
Grainger	McNair	Roberts	Wallace
Hale	Manley	Robertson	Weeks
Hardin	Mathews	St. John	Wise
Harris	May	Smith (K)	Wood
Headley	Meeks	Smith (P)	Wynot
Hearn	Merrill		

—81

Nays:

Mr. Speaker	Crawford	McCorquodale	Warren
Casey	McCluskey	Owens	

—7

And the bill, H. 417 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Messrs.:	Dill	Lang	Robertson
Adams	Doss	Lutz	St. John
Adwell	Downing	McCorquodale	Siate
Bank	Drake	McDonald	Smith (K)
Barkett	Easters	McMillan	Smith (P)
Barron	Ellis	McNair	Snell
Benton	Erdreich	Manley	Stewart
Boles	Falkenburg	Mathews	Stokes
Boutwell	Fite	May	Stubbs
Bowers	Flippo	Meeks	Taylor
Brassell	Gafford	Merrill	Therrell
Burgess	Goodwin	Naramore	Timmons
Callahan	Grainger	Nettles	Turner
Carnes	Grey (D)	O'Daniel	Turnham
Casey	Hale	Owens	Waggoner
Chesnut	Harris	Parker	Waldrop
Collins	Headley	Perloff	Wallace
Connell	Hearn	Porter	Warren
Coshatt	Hill	Pruitt	Weeks
Cottingham	Hughes	Reed (T)	Williams
Crawford	Jackson	Reid (R)	Wise
Cross	Jones (F)	Reynolds	Wood
Crowe	King	Roberts	Wynot
Culver	Kinsey		

—93

And the bill:

H. 1675. To amend further Act No. 78, S. 72 of the Special Session of 1961, which regulates the teaching and practice of cosmetology, so as to change the number of hours required for beauty school students, providing that students in beauty schools may work in beauty shops under certain conditions, changing the time a managing cosmetologist is required to work from 2 years to 1 year, changing the limitation on the number of days of compensation payable to members of the cosmetology board, facilitating appeal of

decisions of the board without the necessity of trial de novo, section of law exempting Jefferson County and providing for a board member from Jefferson County.

Was taken up.

Mr. Merrill offered the following substitute to the bill:

To amend further Act No. 78, S. 72 of the Special Session of 1961, which regulates the teaching and practice of cosmetology so as to change the number of hours required for beauty school students, providing that students in beauty schools may work in beauty shops under certain conditions, changing the time a managing cosmetologist is required to work from 2 years to 1 year, changing the limitation on the number of days of compensation payable to members of the cosmetology board, facilitating appeal of decisions of the board without the necessity of trial de novo.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 4 and 21 of said Act No. 78, S. 72 of the Special Session of 1961 are hereby amended and Sections 7, 9, and 16 as heretofore amended, are further amended to read as follows:

"Section 4. The Alabama Board of Cosmetology shall consist of seven persons, citizens of this State for at least five (5) years prior to their appointment, for the purpose of carrying out and enforcing the provisions of this Act. Such Board shall be appointed by the Governor and only two of the members may be from the same congressional district; provided further that any county not under the State Cosmetology Law shall not be considered a part of any congressional district in determining the membership of said board. Any segment of the cosmetology industry may recommend to the Governor appointments to be made to the Alabama Board of Cosmetology. The members of the Board shall be at least twenty-five (25) years of age, must have had at least five (5) years practical experience in the majority of the practices of cosmetology. Board members shall be appointed for terms of five years. Vacancies on the Board shall be filled by the Governor for the unexpired terms. Only one member of the Board shall be a member of or affiliated with a school of cosmetology. Said Board may do all things necessary and convenient for enforcing the provisions of this Act. The Board may from time to time promulgate necessary rules and regulations compatible with the provisions of this Act. Any Board Member may be removed by the Governor for just cause.

"The Board shall publish all its rules and regulations, together with a copy of this Act and its amendments, and distribute the same to all licensees affected by the same. Amendments and changes in said rules and regulations shall likewise be published by the Board and distributed to the licensees hereunder. The rules and regulations so published and distributed must be retained in each shop or school licensed by the Board and must be available at all times to personnel in each shop or school and available to the general public where interest is manifested.

No rule or regulation of the Board, or amendment or repeal of an existing rule or regulation, shall be effective until 20 days after writtenn otice thereof shall have been given to each beauty shop owner and cosmetology school licensed under this Act; but the failure of any such persons to receive

the notice shall not invalidate the rule or regulation, amendment or repeal, except upon proof that the failure to give notice was a willful violation of this requirement.

"Section 7. The board shall meet at such times and places as the members shall agree upon. The majority of the members of the board shall constitute a quorum for the transaction of business. The board shall prescribe rules for the its government and have a seal with which to authenticate its acts. Members of such board shall not be entitled to the per diem and expenses hereinabove provided for more than fifty days during any calendar year.

"Section 9. No person shall be admitted to examination or receive a license under this act, except as otherwise provided for in this act, unless such person shall possess the following qualifications:

"(a) Cosmetologist-Except as otherwise provided for in this act, no person may be licensed as a cosmetologist in any one or combination of the practices of cosmetology under this act, unless such person shall pay the original licensing fee in hereinafter provided for, and have an education equivalent to the completion of ten grades in school and shall have served and completed the required time and studies as follows:

"1. For a complete course of cosmetology, consisting of all or the majority of practices thereof in a school of cosmetology, of not less than 1600 hours of continuous training not to exceed more than eight (8) hours in any one day;

"2. Or as an apprentice in a beauty shop for a period of not less than three thousand hours over a minimum period of one (1) year of training not to exceed eight (8) hours in any one day; or, in either event,

"3. Shall have passed an examination to the satisfaction of the board as provided in this act.

"(b) Manicurist-Except as otherwise provided for in this act, no manicurist may be licensed as such unless such person shall pay the original licensing fee as hereinafter provided for and shall have completed a course of training of not less than three hundred (300) hours in a school of cosmetology, or shall have served as an apprentice in a beauty shop for a period of not less than three hundred (300) hours of continuous training not to exceed more than eight (8) hours in any one day, and shall have passed an examination to the satisfaction of the board as provided for in this act.

"(c) Managing Cosmetologist-Except as otherwise provided for in this act, no person may be licensed as a managing cosmetologist, unless such person shall pay the original licensing fee as hereinafter provided for, and shall be a licensed cosmetologist, and has served as such in a registered beauty shop or school of cosmetology for a period of not less than one year prior to such application for a license as managing cosmetologist.

"(d) Apprentices-Apprentices in cosmetology shall be registered upon the payment of the original fee as hereinafter provided for, payable upon the commencement of the apprenticeship in a duly registered beauty shop. Such apprentice shall be at least sixteen (16) years of age at the time of such registration and shall have an education equivalent to the completion of ten grades in school. Provided, that any beauty shop that shall take an apprentice shall immediately file with the board the name and age of such apprentice, and the board shall cause the same to be entered in a registry kept for that purpose.

"(e) Students-Students in cosmetology shall be registered by the board upon enrollment in a registered school of cosmetology, and upon certification by such school of such enrollment. A student shall be at least sixteen (16) years of age at the time of such registration and shall have an education equivalent to the completion of ten grades in school. Provided, that any school of cosmetology that shall enroll such a student shall immediately file with the board the name and age of such student, and the board shall cause the same to be entered in a registry kept for that purpose. Students in beauty schools are allowed to work in beauty shops after completion of 1200 hours credit in beauty school only when school is not in session. Permit to work in designated beauty shop must be obtained from the cosmetology board before beginning work in the shop.

"(f) Instructors-Except as otherwise provided in this act, no person may be licensed as an instructor in any one or combination of the practices of cosmetology unless such person shall pay the original licensing fee as hereinafter provided for, and shall hold a license as a cosmetologist issued to him pursuant to paragraph (a) in Section 9 hereinabove, and in addition,

"1. Shall have completed not less than 1,250 hours in a teacher's training course in cosmetology in a registered school of cosmetology, to be eligible for admission to examination; or

"2. Shall have not less than one (1) year of experience as an active practicing cosmetologist prior to enrollment as a student instructor and supplemented by not less than 650 hours in a teacher's training course in cosmetology in a registered school of cosmetology, in order to be eligible for admission for examination.

"No instructor or student instructor shall be permitted to practice cosmetology on the public other than such practical work as shall pertain directly to the teaching of practical subjects to students.

"3. Shall have an education equivalent to the completion of twelve grades in school in order to enroll in a course for teacher's training in any registered school of cosmetology.

"4. All instructors must attend a teachers seminar once every two years as made available by the State Board of Cosmetology as requirement for renewing instructors license.

"Any person duly licensed to practice in any field related to cosmetology may apply to the board for a permit to teach theory in the field in which he is licensed to practice, and upon proper proof of qualifications, said board may issue such teacher's permit to the applicant.

"(g) Student Instructors-Student instructors in cosmetology shall be registered by the board upon enrollment in a registered school of cosmetology, and upon certification by such school to the board of such enrollment. A student instructor at the time of such enrollment shall hold a license as a cosmetologist. Upon the completion of the course prescribed by this act for a student instructor, said student instructor may make application on a form provided by the board and pay the examination fee as hereinafter provided for. Said board shall thereupon cause such applicant to be examined for an instructor's certificate, said examination to be given by the board. Upon such applicant's successfully passing said examination and the payment of the original licensing fee of an instructor as hereinafter provided for said board shall

issue and give an instructor' certificate. Provided that any school of cosmetology that shall enroll any person as a student instructor shall immediately file with the board the name and age of such student, his qualifications qualifying him for such course as herein provided and the board shall cause the same to be entered in a register kept for that purpose.

"The sufficiency of the qualifications of applicants for admission to the examinations or for licensing as herein provided for shall be determined by the board, subject to such provisions as the board shall make.

"Section 16. The various fees to be paid by the applicants for original licenses, annual renewals, penalties, duplicates, temporary permits, licenses issued upon reciprocity, information on license standing and examinations as required under this Act, shall be as follows:

Beauty shop, original license	\$ 35.00
Beauty Shop, annual renewal	10.00
School of Cosmetology, original license	300.00
School of Cosmetology, annual renewal	50.00
Cosmetologist, original license	10.00
Cosmetologist, annual renewal	50.00
Managing Cosmetologist, original license	10.00
Managing Cosmetologist, annual renewal	5.00
Manicurist, original license	10.00
Manicurist, annual renewal	5.00
Instructor, original license	20.00
Instructor, annual renewal	5.00
Instructor of theory in related fields	10.00
Demonstrator, original license	10.00
Demonstrator, annual renewal	10.00
Cosmetic Studio, original license	35.00
Cosmetic Studio, annual renewal	10.00
Reciprocity license fee (examination fee not included)	25.00
Apprentice, temporary permit	2.00
Student, temporary permit	2.00
Student Instructor, temporary permit	5.00
Duplicate license, renewal, cosmetologist temporary permit or student instructor temporary permit	5.00
Duplicate temporary permit for student or apprentice	2.00
Penalty fee for late renewal of license	3.00
Fee for information concerning license standing	5.00
Examination fee	10.00

"Section 21. Any applicant for a license under the provisions of this Act whose application has been denied or any licensee whose license shall have been suspended or revoked or a renewal thereof denied shall have the right to have the order denying, suspending, or revoking such license reviewed by the Circuit Court of Montgomery County, sitting in Equity, on a writ of certiorari, upon filing a petition therefor with the register of said

REGULAR SESSION
29th Day

3473

court within sixty (60) days from the date of mailing of the notice as herein provided, together with a bond with good and sufficient sureties to be approved by the register thereof, conditioned to pay all costs which may accrue against the petitioner in such proceedings. Upon the filing of a petition for review, the secretary of the board shall prepare, or cause to be prepared, an official record which shall contain a copy of all proceedings and the findings and the decision or order of the board and which shall also contain a transcript of all testimony and exhibits.

"The filing of the petition in the Circuit Court, in Equity shall stay the enforcement of the board's decision or order, unless the court shall order otherwise, The secretary shall transmit the record in the case to the court within thirty (30) days after the service of the petition.

"The review by the court shall be confined to the record. The court, or the Supreme Court of Alabama on appeal to it, may affirm the decision or order or remand the case for further proceedings, or it may reverse, modify or vacate the decision or order in whole or in part if it was affected by any error of law or was unsupported by substantial evidence, or was arbitrary or capricious.

"From the judgment of such Circuit Court, sitting in Equity, either the board or the interested party taking the appeal may appeal directly to the Supreme Court of Alabama within thirty (30) days from the date of the rendition of the judgment or decree, the interested party so appealing to the Supreme Court shall give security for the costs of such appeal to be approved by the register of said Circuit Court."

"Section 2. Section 32½ of Said Act No. 78 of the Special Session of 1961 is hereby repealed.

"Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

"Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 81; Nays 7.

Yeas:

Messrs.:	Carter	Ellis	King
Adams	Casey	Fite	Kinsey
Agee	Cauthen	Flippo	Lang
Bank	Chesnut	Goodwin	Lutz
Barkett	Collins	Grainger	McCluskey
Barron	Connell	Grey (D)	McCorquodale
Bassett	Coshatt	Hale	McDonald
Benton	Cottingham	Hardin	Manley
Boles	Crowe	Harris	Mathews
Boutwell	Culver	Headley	May
Bowers	Doss	Hearn	Merrill
Brassell	Downing	Hill	Nettles
Burgess	Drake	Hughes	Owens
Callahan	Easters	Jackson	Parker
Carnes	Edwards	Jones (F)	Perloff

29th Day

Pruitt	St. John	Stubbs	Waldrop
Reed (T)	Slate	Taylor	Warren
Reid (R)	Smith (K)	Therrell	Weeks
Reynolds	Snell	Turner	Wise
Roberts	Stewart	Turnham	Wynot
Robertson	Stokes		

—81

Nays:

Messrs.:	Dill	McNair	Waggoner
Adwell	McMillan	Timmons	Wallace

—7

Mr. Bank offered the following amendment to the bill, H. 1675 as amended:

In Section 2 of H. B. 1675, amend Subsection 9(e) of Act No. 78, S. 72 of the Special Session of 1961, as amended, and as set out in said Section 2, by striking the figures "1,200" in the penultimate sentence thereof and inserting in lieu thereof the following: "900".

And the amendment was adopted.

Yeas 80; Nays 1.

Yeas:

Messrs.:	Cottingham	Hill	Pruitt
Adams	Crawford	Hughes	Reed (T)
Adwell	Cross	Jackson	Reid (R)
Agee	Crowe	Jones (F)	Roberts
Bank	Culver	King	Robertson
Barkett	Dill	Lang	St. John
Barron	Downing	Lutz	Slate
Benton	Drake	McCluskey	Smith (K)
Boles	Easters	McCorquodale	Snell
Boutwell	Edwards	McDonald	Stokes
Bowers	Ellis	Manley	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	Meeks	Therrell
Callahan	Grainger	Merrill	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	Nettles	Waldrop
Casey	Hardin	O'Daniel	Wallace
Cauthen	Harris	Owens	Warren
Chesnut	Headley	Parker	Williams
Collins	Hearn	Perloff	Wise
Connell			

—80

Nay: Mr. McNair.

—1

MOTION TO POSTPONE TABLED

On motion of Mr. Merrill, the motion offered by Mr. Timmons to postpone to the thirtieth legislative day the bill, H. 1675 as amended, was tabled.

And the bill:

H. 1675. To amend further Act No. 78, S. 72 of the Special Session of 1961, which regulates the teaching and practice of cosmetology so as to change the number of hours required for beauty school students, providing that students in beauty schools may work in beauty shops under certain con-

ditions, changing the time a managing cosmetologist is required to work from 2 years to 1 year, changing the limitation on the number of days of compensation payable to members of the cosmetology board, facilitating appeal of decisions of the board without the necessity of trial de novo.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 18.

Yeas:

Messrs.:	Coshatt	Headley	Pruitt
Adwell	Cottingham	Hearn	Reed (T)
Agee	Crawford	Hill	Reid (R)
Bank	Cross	Jones (F)	Roberts
Barkett	Culver	King	Robertson
Barron	Dill	Lang	St. John
Benton	Downing	Lutz	Slate
Boles	Easters	McDonald	Smith (K)
Bowers	Ellis	Manley	Stewart
Brassell	Fite	Mathews	Therrell
Burgess	Gafford	Meeks	Turner
Callahan	Grainger	Merrill	Turnham
Carnes	Gray (F)	O'Daniel	Waggoner
Casey	Grey (D)	Owens	Waldrop
Collins	Hale	Parker	Wallace
Connell	Harris	Perloff	

—62

Nays:

Messrs.:	Doss	McNair	Snell
Adams	Flippo	Naramore	Stokes
Carter	Goodwin	Nettles	Timmons
Chesnut	Hughes	Porter	Warren
Crowe	McMillan	Reynolds	

—18

And the bill:

H. 805. To amend Section 402 of Title 51, Code of Alabama of 1940, so as to provide for the deduction of certain dividends received by domestic and foreign corporations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 3.

Yeas:

Mr. Speaker	Burgess	Doss	Grey (D)
Adams	Callahan	Downing	Hale
Adwell	Carnes	Drake	Hardin
Agee	Carter	Edwards	Harris
Bank	Casey	Ellis	Headley
Barkett	Collins	Erdreich	Hearn
Barron	Connell	Falkenburg	Hill
Benton	Cottingham	Fite	Hobbie
Boles	Cross	Flippo	Hughes
Boutwell	Crowe	Gafford	Jackson
Bowers	Culver	Goodwin	Jones (F)
Brassell	Dill	Grainger	King

Kinsey	May	Reed (T)	Taylor
Lang	Meeks	Reid (R)	Therrell
Lutz	Merrill	Reynolds	Turner
McCluskey	Naramore	Robertson	Turnham
McCorquodale	Nettles	St. John	Wallace
McDonald	O'Daniel	Smith (K)	Warren
McMillan	Owens	Smith (P)	Weeks
McNair	Parker	Snell	Williams
Manley	Perloff	Stokes	Wood
Mathews	Pruitt		

—86

Nays: Messrs. Crawford, Slate and Stewart.

—3

And the bill:

H. 1132. To provide a method by which an insurance company incorporated under the laws of this State may, by resolution of its board of directors, apply any part or all of its capital surplus to the elimination or reduction of any deficit, however incurred.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 3.

Yeas:

Mr. Speaker	Cross	Jackson	Reid (R)
Adams	Crowe	Jones (F)	Reynolds
Agee	Culver	King	Roberts
Bank	Dill	Kinsey	Robertson
Barkett	Downing	Lang	St. John
Barron	Drake	Lutz	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Snell
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	McMillan	Stubbs
Bowers	Fite	McNair	Therrell
Brassell	Flippo	Manley	Timmons
Burgess	Gafford	Mathews	Turner
Callahan	Goodwin	May	Turnham
Carnes	Grainger	Meeks	Waggoner
Carter	Grey (D)	Merrill	Waldrop
Casey	Hale	Naramore	Wallace
Chesnut	Hardin	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hearn	Parker	Wise
Cottingham	Hill	Perloff	Wood
Crawford	Hughes	Pruitt	Wynot

—92

Nays: Messrs. Cauthen, Porter and Slate.

—3

And the bill:

H. 1591. (With Substitute) (With Amendments): To establish a system of regulation and control of surface mining and reclamation, a declaration of public policy and legislative intent, the creation and establishing of the Alabama Surface Mining and Reclamation Commission with powers and authority, establishes necessity of licenses and permits with a right to surface

mine and proper application therefor, requires a conservation and reclamation plan and map, sets application fees, bond of operator, sufficiency of surety, cancellation by surety and suspension of operator's permit, provides for confidentiality of certain records, violations, administrative procedures, appeals from orders of the Commission, legal remedies, enforcement proceedings, non-applicability and penalties, establishes the Alabama Surface Mining and Reclamation Fund, provides for citizens' suits, saving and conforming provisions and establishes the effective date and orderly transition to said new act and repeal of the Surface Mining Act of 1969 (Acts 399 Regular Session).

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Commerce and Transportation, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To establish a system of regulation and control of coal surface mining and reclamation, a declaration of public policy and legislative intent, the creation and establishing of the Alabama Surface Mining and Reclamation Commission with powers and authority, establishes necessity of licenses and permits with a right to surface mine and proper application therefor, requires a conservation and reclamation plan and map, and blasting regulations, sets application fees, bond of operator, sufficiency of surety, cancellation by surety and suspension of operator's permit, provides for confidentiality of certain records, violations, administrative procedures, appeals from orders of the Commission, legal remedies, enforcement proceedings, nonapplicability and penalties, establishes the Alabama Surface Mining and Reclamation Fund, provides for citizens' suits, saving and conforming provisions and establishes the effective date and orderly transition to said new act and repeal of the Surface Mining Act of 1969 (Act 399 Regular Session) as to regulation of coal surface mining only.

Be It Enacted by the Legislature of Alabama:

Section 1. Short Title. This Act shall be known and may be cited as "the Alabama Surface Mining and Reclamation Act of 1973".

Section 2. Declaration of Public Policy and Legislative Intent. ALL AREAS SURFACE MINED UNDER THIS ACT SHALL BE RECLAIMED.

(1) The objective of this Act is to provide for the safe, responsible and reasonable reclamation of lands upon which surface disturbances will be created by surface mining of coal so as to protect the taxable value of property and preserve natural resources within the State and to protect and promote the health and safety of the people of this State, consistent with the protection of property and with maximum employment and the economic and industrial well-being of the State. The Legislature finds and declares that the extraction of coal by surface mining is an essential and necessary activity which contributes to the economic and material well-being of the State.

(2) The Legislature finds that the unregulated or irresponsible surface mining of coal may cause soil erosion, damage from rolling stones, landslides, and steam pollution, increases the likelihood of floods, reduces the value of land for agricultural purposes, can be detrimental to the conservation of soil, and may create hazards to life and property.

(3) The Legislature further finds that some lands that have been subjected to coal surface mining and have not been reclaimed or rehabilitated constitute the aforementioned perils to the welfare of the State.

(4) The legislature further finds that surface mining reclamation technology is now developed so that effective and reasonable regulation of coal surface mining by the State in accordance with the requirements of this Act is an appropriate and necessary means to reduce adverse economic and environmental effects of coal surface mining.

(5) The Legislature further finds that there are wide variations in the circumstances and conditions resulting from surface mining of coal due primarily to differences in topographical and geological conditions, and by reason thereof, it is necessary, in order to achieve the most effective, beneficial, economical, and equitable results; the provisions of this Act shall have statewide application and thus shall supersede and render void any local or county regulation or control of coal surface mining, henceforth that an authority be created to administer and enforce the regulatory provisions of enacted by the Legislature. Therefore, it is the purpose of this Act to provide such regulation and control of coal surface mining as to reduce injurious effects to the environment and resources of the State and to promote the following objectives:

(A) Establish a statewide program to reduce adverse effects to the environment resulting from coal surface mining;

(B) Provide that coal surface mining will not be conducted where reclamation is not practicable;

(C) Provide that coal surface mining will be conducted in a manner consistent with the judicious utilization of the State natural resources;

(D) Provide that adequate measures are undertaken to reclaim surface mined areas promptly according to the provisions of this Act; and

(E) Exercise the full reach of State constitutional powers to provide protection of the public interest through effective control of coal surface mining.

Section 3. The Alabama Surface Mining and Reclamation Commission.

(1) There is hereby created and established the Alabama Surface Mining and Reclamation Commission for the purpose of pursuing and carrying out the intent and policy stated in Section 2 hereof.

(2) The Commission shall be composed of seven members appointed by the Governor as follows:

A. The Governor shall select and appoint five voting members who are fair and impartial citizens of the State of Alabama.

(a) Voting members: One Commission member shall be appointed from each of the five counties in Alabama which in the fiscal year 1971-72

produced the greatest number of tons of surface mined coal, as indicated by the records of the Department of Industrial Relations.

(b) No citizen who is an officer or agent of any coal surface mining operator or who is directly interested in operating any coal surface mine shall be eligible to serve on the Commission as a voting member.

(c) No citizen who is an officer or agent of any environmental group shall be eligible to serve on the Commission as a voting member.

B. Non-voting members: Two non-voting members shall be appointed to the Commission.

(a) One non-voting member, who shall be a citizen of the State of Alabama, shall be jointly certified to the governor by the respective Alabama President or appropriate executive officers of the following named environmental and conservation organizations: Alabama Conservancy, Alabama Wildlife Federation, The Bass Anglers Sportsman's Society, National Audubon Society and National Sierra Club.

(b) One non-voting member who shall be a citizen of the State of Alabama shall be jointly certified to the Governor by the respective President or appropriate officer of Alabama Surface Mining Reclamation Council and Alabama Mining Institute.

(c) The two persons so certified shall be appointed to the Commission as non-voting members by the governor. Non-voting members of the Commission shall have all the rights and privileges of voting members except the right to vote upon matters before the Commission.

C. The Governor shall appoint two voting members of the Commission for a term of four (4) years, one voting member for three (3) years and two voting members for two (2) years. All voting members appointed subsequently shall be appointed for terms of four (4) years. The two non-voting members shall be appointed for terms of four (4) years. The governor shall appoint one of the five (5) voting members as Chairman of the Alabama Surface Mining Reclamation Commission.

D. All appointments shall be made within fifty-six (56) days of the date of this Act becoming law and all reappointments and filling of vacancies shall be filled in the same manner as herein set out for the original appointments.

E. Within thirty days from the date of the appointment of all the members of the Commission, the Chairman shall call a meeting to organize the Commission.

(3) Director and Staff of the Commission. The Commission shall appoint a Director of the Alabama Surface Mining and Reclamation Commission and shall fix his compensation subject to the provisions of the State merit system. The Commission may appoint an Assistant Director or Assistant Directors and the compensation of such Assistant Directors shall also be fixed by the Commission subject to provisions of the State merit system. The Director shall be the chief operating officer of the Commission and shall be charged with exercising such powers, duties and functions conferred upon him by the Commission or this Act. The Director is authorized, subject to the approval of the Commission, to create such divisions of his office as may be necessary to carry out its functions, and may employ professional, technical or clerical personnel as necessary to carry out the duties and functions. He

may also, with the approval of the Commission, contract with private persons, firms or corporations to provide technical assistance or consultant services to assist his office in carrying out the purposes of this Act.

(4) The members of said Commission shall receive as compensation \$50 per day for each day of official business as approved and validated by the Chairman. The Chairman shall receive \$75 per day and shall receive payment for no less than five days each month. The Chairman is hereby authorized to approve actual expense for necessary out-of-state travel and all other reasonable and related costs incurred for the purpose of carrying out the intent and purpose of this Act.

Section 4. Definitions. The following words and phrases, unless a different meaning is plainly required by the context, shall have the following meanings:

"Affected Land" means the land from which coal is removed by surface mining, and all other land area in which the natural land surface has been disturbed as a result of or incidental to coal surface mining, including land excavations, workings, refuse banks, spoil banks, culm banks, and tailings.

"Affected Structures and Facilities" means repair areas, storage areas, processing areas, shipping areas, and area in which structures, facilities, equipment, machines, tools, or similar materials or property which result from, or are used in, coal surface mining are situated.

"Applicant" means any person who or which applies for a license or a permit to engage in coal surface mining.

"Completed Application" means the form required by Sections 7 and 8 completely filled out, all questions answered and all required and supporting documents, drawings, maps, schedules, surveys, and all other pertinent data required by the rules and regulations of the Commission and this Act have been filed in the Director's office.

"Contouring" means the surface configuration achieved by grading spoil-piles to a rolling topography so that the regarded spoilpiles are blended into the surrounding terrain in such manner that the regraded area complements the drainage pattern of and is similar to the surrounding terrain.

"Land" means the surface of the land upon which coal surface mining is conducted.

"Landowner" means the person in whom the legal title to the land is vested.

"Licensee" means any person, or the assignee of such person, who or which is granted a license to engage in any activity covered by this Act.

"Operator" means the person, firm, corporation, or partnership or any other business entity conducting coal surface mining.

"Overburden" means the strata of material overlying a coal deposit or in between coal deposits in their natural state and shall mean such material before or after its removal by surface mining.

"Permittee" means any person, or the assignee of such person, who or which is granted a permit to engage in any activity covered by this Act.

29th Day

"Person" means any individual, partnership, firm, ciation, trust, estate, municipality, public or private corporation, and any subdivision, department or agency of the State, or the United States, or any other legal entity, and any successor or agency of the foregoing.

"Public Buildings or Areas" means buildings or areas where persons or the public generally are invited or come or assemble to participate in, enjoy, or observe any governmental, educational, religious, cultural, or recreational activity.

"Spoil Pile" means the overburden and reject minerals as piled or deposited in surface mining.

"Surface Mining" means the extraction of coal from the earth or old coal surface mining sites or from pits or banks by removing the strata or material which overlies or is above or between coal seams or otherwise exposing and retrieving it from the surface. Surface mining shall not include (i) mining operations carried out beneath the surface by means of shafts, tunnels, or other underground mine openings, (ii) the extraction of coal by a landowner for his own non-commercial use from land owned or leased by him nor, (iii) the handling, processing or storage of coal on the premises of a manufacturer as a part of the manufacturing process.

Section 5. Powers. In addition to any other powers conferred on it by law, the Commission shall have the power to:

(1) adopt, amend, and repeal reasonably necessary rules and regulations to control coal surface mining reclamation consistent with this Act, including the declaration of public policy and legislative intent contained in Section 2. Such rules and regulations may be for the State as a whole or may vary from area to area, as may be appropriate to accomplish the policy and intent of this Act, and in order to take into account varying local conditions;

(2) hold hearings relating to any aspect or matter in the administration of this Act; and in connection therewith, compel the attendance of witnesses and the production of evidence;

(3) issue such orders as may be necessary to effectuate the purposes of this Act and enforce the same by appropriate administrative and judicial proceedings;

(4) Enforce the rules, regulations and standards governing the use of explosives for the purpose of blasting in surface coal mining as set forth in Section 10 of this Act.

(5) secure necessary scientific, technical, administrative, and operational services, including laboratory facilities, by contract or otherwise;

(6) develop guideline for the conservation and reclamation of land on which surface mining is performed;

(7) encourage voluntary cooperation by persons and groups to achieve the purposes of this Act;

(8) encourage and conduct studies, investigations, and research relating to surface mining reclamation;

(9) determine by means of field studies and sampling the degree of environmental effects caused by surface mining of other minerals in the State.

This study shall extend for not less than 18 months nor more than 24 months. The Commission shall report to the Legislature upon their findings and make appropriate recommendations.

(10) establish coal surface mining reclamation standards for the State which may vary according to appropriate areas provided they are in all cases not less stringent than provided by applicable federal law and are not inconsistent with the declaration of public policy and legislative intent contained in Section 2 of this Act;

(11) collect and disseminate information and conduct educational and training programs relating to coal surface mining and reclamation of land;

(12) advise, consult, contract, and cooperate with other agencies of the State, local governments, industries, other States, interstate agencies, and the federal government, and with interested persons or groups;

(13) Consult, upon request, with any person proposing to construct, install or otherwise acquire a coal surface mine, concerning the efficacy of construction, installation, or acquisition of such surface mine. Nothing in any such consultation shall be construed to relieve any person from compliance with this Act, rules and regulations in force pursuant thereto, or any other provision of law;

(14) accept, receive, and administer grants or other funds or gifts from public and private agencies, including the federal government, for the purpose of carrying out any of the functions of this Act. Funds received by the Commission pursuant to this section shall be deposited in the state treasury to the account of Alabama Surface Mining and Reclamation Fund. The Commission is hereby designated as the State surface mining regulation agency for purposes of federal law;

(15) employ personnel and consultants as may be necessary for the administration of this Act. Subject to any applicable restrictions contained in law, any department or agency of the State may from its available resources provide the Commission with personnel and services, with or without charge, and the Commission may compensate other agencies for services;

(16) settle or compromise in its discretion, as may be advantageous to the State or equitable on the facts, any action to recover any penalty or to compel compliance with this Act or any order, rule or regulation hereunder and waiver or refund up to 90 per cent of any penalty where the person against whom the penalty is assessed takes satisfactory remedial action;

(17) provide for the performance by its Director, Assistant Directors or staff and employees in the name of the Commission, of any act or duty authorized by and consistent with administration of this Act, except for the adoption, amendment, or repeal of rules and regulations;

(18) perform other acts and duties as may be necessary to implement the declaration of public policy and legislative intent contained in Section 2 of this Act.

Section 6. Licenses and Permits; Necessity For; Right to Mine; Term.

(1) All coal surface mining in Alabama shall be subject to the provisions of this Act.

(2) No person shall engage in coal surface mining unless such person has first obtained a license in accordance with the provisions of Section 7 and no person shall engage in coal surface mining at a particular location until such person has been issued a permit in accordance with the provisions of Section 8.

(3) The term of a coal surface mining license shall be continuous and shall authorize the licensee to engage in coal surface mining in this state, unless the license shall be suspended or revoked in accordance with the provisions of this Act. Suspension, revocation or subcontracting shall in no way relieve the licensee of his obligation to comply with the reclamation requirements of this Act.

(4) The term of a coal surface mining permit shall be 12 months and shall authorize the permittee to engage in coal surface mining at the location specified, unless sooner suspended or revoked in accordance with the provisions of this Act. Suspension, revocation or subcontracting shall in no way relieve the permittee of his obligation to comply with the reclamation requirements of such permit. The suspension or revocation of a permit at one location shall not cause a suspension or revocation of the license or permit of an operator, where the operator is engaging in coal surface mining at more than one location under separate permits.

(5) An exploration permit will be required pursuant to the rules and regulations of the Commission not in conflict with the provisions of Sections 6, 7 and 8, except for removal of coal samples for testing, assaying or other purposes associated with coal exploration in an amount not to exceed 250 tons in any one location and not affecting an area of more than one-half acre. An exploration permit shall be for a maximum term of 12 months, unless revoked, suspended or renewed pursuant to the rules and regulations of the Commission, and subject to a reasonable fee therefor.

(6) If a permittee succeeds another at any uncompleted operation by sale, assignment, lease, or otherwise, the Director may release the first permittee from all liability requirements of this Act after the successor permittee has posted adequate bond, and the successor permittee assumes full liability for mining, conservation, and reclamation procedures established herein.

Section 7. Application for and Issuance of Surface Mining Licenses.

(1) An applicant for a license shall file an application with the Commission upon a form furnished by the Director which application shall contain the following information:

(A) The name of the applicant, and whether an individual, partnership, corporation, or other legal entity.

(B) The legal address of the applicant for process of legal service or notice and the address of each coal surface mining operation.

(C) If known, the names and addresses of the agents, subsidiaries or independent contractors who may be engaged in coal surface mining on behalf of the applicant on land to be affected. Any agent, subsidiary or independent contractor engaged by applicant subsequent to issuance of a permit shall be identified to the Commission within 30 days of its engagement. The utilization of an agent, subsidiary or subcontractor shall not relieve the licensee of its responsibility hereunder.

(D) The name and address of every officer, partner, director or person performing a function similar to a director, of the applicant, together with the name and address of any person owning, of record or beneficially, either alone or with associates, ten (10) per cent or more of any class of stock of the applicant.

(E) A statement of whether the applicant, any subsidiary, affiliate or persons controlled by, or under common control with, the applicant has ever had a coal surface mining license or permit, issued by this or any other state, suspended or revoked, or has ever had a coal surface mining bond, or security deposited in lieu of bond, forfeited.

(F) All names under which the applicant previously operated or is engaging in coal surface mining within the State of Alabama.

(G) Identification of any coal surface mining permits held by the applicant under this Act or the Alabama Surface Mining Act of 1969, their permit numbers, and their dates.

(H) A statement of whether the applicant, any subsidiary, affiliate or any partner of the applicant, if a partnership, any principal officer or director if the applicant is a corporation, or any other person who has a right to control or in fact controls the applicant or the selection of officers or directors of the applicant, has had a coal surface mining permit issued by any agency of the State of Alabama suspended or revoked or has forfeited a coal surface mining bond or security deposited in lieu of bond. If so, a brief explanation of the facts involved in each case shall be stated.

(I) A statement by the applicant that he has obtained, or before mining will obtain, from the surface and mineral owner the legal right to mine by surface mining methods, the land to be affected in each permit.

(2) The Commission shall have forty-five (45) days to consider the application and issue the license or an order denying its issuance, setting out deficiencies and reasons why the license was not issued and what corrective action should be taken. If the Commission fails to act, the license shall issue automatically from the Commission on the forty-sixth day from filing of application.

(3) The fee for a license shall be 100 dollars and shall be submitted with the application.

Section 8. Applications for Permit.

(1) An applicant for a permit shall file an application with the Director upon a form furnished by him, which application shall contain or attach the following:

(A) The name and address of the applicant.

(B) The Alabama Surface Mining and Reclamation Act License number, the date such license was issued and a current up-dating of facts, if any, pertaining to the license required before the issuance of a permit.

(C) A proper description of the land upon which the applicant proposes to engage in coal surface mining, including the name of the county and municipal corporation, if any, in which such land is located.

(D) An estimate of the number of acres of affected land, and the common name and geological name, where applicable, of the coal to be mined.

(E) The name and address of the present owners of the surface interest and the coal or mineral interest in the affected land.

(F) A statement of whether any coal surface mining permits presently in force are held by the applicant for land located in this state and, if any, the numbers and dates of such permits.

(G) The names of the watershed, streams and tributaries, if named, into which surface and pit drainage will be discharged.

(H) An accurate map as required by Section 9.

(I) A conservation and reclamation plan as required by Section 9.

(J) The fee required by Section 11.

(K) A certificate of insurance as required by Section 12.

(L) The applicant must state that the area covered by the application is zoned for agriculture or commercial or industrial or other zoning or that no zoning applies.

(2) The director shall have twenty (20) days to consider the completed application and issue the permit or an order denying its issuance, setting out deficiencies and reasons why the permit was not issued and what corrective action should be taken. If the Director fails to act, the permit shall issue automatically from the Director on the twenty-first day from filing of the completed application.

(3) The Director may not approve the application for a permit where the coal surface mining would be adjacent to any existing publicly owned county, state, or national park, forest, or recreational area, if it would be adversely affected.

(4) A permit may be amended by submitting to the Director information supplementary to the application as may be necessary to advise the Director fully of the amendment sought, and shall include an additional acreage fee and bond, where applicable.

Section 9. Conservation and Reclamation Plan and Map.

(1) Each application for a permit shall have attached an accurate map to an appropriate scale clearly showing the land to be mined. Such map shall show the boundaries, the drainage pattern, the location, by name, where known, of all roads, railroads, rights-of-way, utility lines, oil wells, gas wells, water wells, lakes, streams, rivers, creeks, springs, and other surface water-courses within the affected land, and public buildings or areas within one thousand feet of the affected land. The said map shall be prepared by or under the direction of a registered professional engineer or a registered land surveyor, or the principal officer or owner, who shall certify that the said map and the information and data contained on the same is accurate and correct.

(A) Each applicant shall prepare and submit with the application for a permit a conservation and reclamation plan for the land to be affected by his operation. Such plan shall include:

(a) A statement of the uses to which the land was put during immediate past 10 years, of the uses which are proposed to be made of the land following reclamation, of the manner in which surface mining will be conducted and actions to be taken to reduce adverse environmental effects.

(b) Provisions for regrading or contouring the spoilpiles as defined in Section 4 of this Act.

(c) Provisions for backfilling the final pit by sloping the last spoilpile toward the highwall to a depth of two (2) feet above the bottom coal seam. The applicant may elect to impound water to provide lakes or ponds of approved design for wildlife recreational, or water supply purposes if it is a part of the approved reclamation plan.

(d) Provision for the elimination of all highwalls except the final highwall of each pit and the construction of four access roads to the area above the highwall for each mile of said final highwall.

(e) Provisions for water drainage from the active pit area so as to control soil erosion, damage to adjacent lands, and pollution of streams and other waters, both during and following surface mining. As mining begins, all drainways which flow from the active pit area shall be protected.

(f) Provisions for revegetation of the affected lands. Such plan shall take into consideration the proposed after-use of the affected lands and shall be designed to readily achieve permanent soil stabilization by the planting of trees or shrubs or grasses or legumes or any prescribed combination thereof. The applicant's obligation under the provisions of this Act shall not be deemed discharged until he has provided revegetation which conforms to the revegetation standards established by this Act.

(g) If the land is to be restored to permit cultivation with normal farm machinery, the applicant is relieved of all further reclamation after a cover of perennial grass or legumes has been established.

(h) Where the applicant proposes to plant tree-planting stock on all or a portion of the affected land, the planting shall be carried out based on a spacing of ten (10) feet, approximately 435 trees per acre, and planting methods shall be governed by good planting practices. Where the applicant proposes to direct-seed all or a portion of the affected land, the direct-seeding shall be conducted to achieve a uniformly distributed establishment, one year after the sowing, of at least between 400 and 450 tree seedlings per acre. In the event direct-seeding does not result in establishment within one year of at least between 400 and 450 tree seedlings per acre, the applicant shall thereupon conduct such additional seeding or planting as is necessary to achieve in a uniformly distributed establishment of 400 to 450 tree seedlings per acre. All seeds to be sown by direct-seeding shall be treated with bird and rodent repellent. Where hardwood (deciduous) trees are planted, the current and accepted practices of good forestry shall determine the number and distribution of the trees.

(B) If any of the affected lands are toxic, deficient in plant nutriment, composed of sand, gravel, shale or stone to such extent as to seriously inhibit plant growth, the applicant shall be required to cover such areas with overburden material or fertilizers to insure revegetation.

(C) An applicant with the legal title or right may construct dams of earth or other materials in cuts of all operations where lakes may be formed, and cause lakes to be formed, provided that the formation of said lakes will not interfere with underground or other mining operations or cause damage to adjoining property.

(D) Roads constructed during mining may be retained for use as such on all affected land which is to be reforested, and the applicant shall construct fire lanes or access roads not less than twelve feet in width and not more than one-fourth ($\frac{1}{4}$) section apart at their nearest point. Where such fire lanes and access roads are adjacent to public roads or highways, said fire lanes and access roads shall be constructed so as to be just inside the boundary of such reforested area.

(E) The applicant may elect to reclaim the affected land for range, agricultural or horticultural, homesite, recreational, industrial, or commercial use, but no such election shall result in grading to a lesser extent than set forth in this Section. The revegetation or other requirements applicable to such range, agricultural or horticultural, homesite, recreational, industrial, or commercial use shall be in accordance with rules or regulations prescribed by the Commission.

(2) The applicant shall complete the regrading of all affected land within six (6) months from the date of expiration of the final permit period.

(3) The applicant shall perform planting and revegetation during the first planting season after regrading is complete; however, the outer slope shall be revegetated as soon as possible to provide quick growth cover and reduce erosion.

(4) The applicant shall cover the face of any toxic material left exposed in the bottom of the pit by coal surface mining with overburden material to a depth of two feet, or by a permanent water impoundment.

(5) The plan shall include the reclamation proposed for areas on which are located affected structures and facilities, to be performed at the completion of mining operations.

Section 10. Blasting Regulations.

The use of explosives for the purpose of blasting in connection with coal surface mining shall be done in accordance with the rules, regulations, and standards as sets forth by the U. S. Bureau of Mines, the Coal Mining Laws of the State of Alabama and the Open Pit and Quarry Safety Rules of the State of Alabama. No blasting shall be performed after sunset and before sunrise, except as required to comply with the above regulations.

Section 11. Entry Upon Lands for Inspection.

Any member of the Commission, Director, or their staff may enter upon the affected lands at any reasonable time for the purpose of inspection to determine whether the provisions of this Act are being complied with.

Section 12. Application Fee.

(1) Each application for a permit shall be accompanied by a fee consisting of a basic fee of Three Hundred Dollars (\$300), plus an additional acreage fee of Five Dollars (\$5) for each acre or fraction thereof of the af-

fectured land. No acreage fee will be charged for any acre on which the acreage fee has already been paid in the preceding years. The fee for amendment of a permit shall be One Hundred Dollars (\$100), and to the extent the amendment involves an increase in the acreage covered by the permit, such fee shall be increased by the amount per acre or fraction thereof specified hereinabove.

(2) The above fees shall be deposited to the Alabama Surface Mining and Reclamation Fund, to be expended by the Commission for the purposes of, but not limited to, paying salaries and expenses of personnel, purchasing equipment for enforcement of the provisions of this Act and reclamation of unreclaimed land, if any, which will be coal surface mined subsequent to the effective date of this Act.

Section 13. Insurance.

The application for permit shall be accompanied by a certificate of insurance certifying that the applicant has in force a public liability insurance policy issued by an insurance company authorized or licensed to do business in this State covering all coal surface mining operations of the applicant in this State and affording personal injury and property damage protection, during the term of the permit. The insurance shall cover the applicant and all of its agents and employees and shall not be less than Two Hundred Thousand Dollars (\$200,000) for personal injury and One Hundred Thousand Dollars (\$100,000) for property damage. The Director may waive the provisions of this Section upon the applicant posting securities, in the amount of Two Hundred Thousand Dollars (\$200,000), of the same type and in the same manner as specified in Section 14.

Section 14. Bond of Operator, Amount, Sufficiency of Surety, Custody, Substitutions, Release or Reduction upon Notice of Completion of Reclamation, Cancellation by Surety causing Suspension of Operator's Permit.

(1) Each application for a permit shall be accompanied by a bond in the amount of Four Hundred Fifty Dollars (\$450) per acre of affected land. Any bond herein provided to be filed with the Director by the Operator shall be in such form as the Director prescribes, payable to the State of Alabama for the Alabama Surface Mining and Reclamation Fund and conditioned that the operator shall faithfully perform all applicable requirements of the permit. Such bond shall be signed by the operator, as principal, and by a good and sufficient corporate surety authorized or licensed to do business in the State of Alabama, as surety. The bond required for a permit shall not be less than Four Hundred Fifty Dollars (\$450) nor more than One Thousand Dollars (\$1,000) per acre multiplied by the number of acres of land included in the permit; provided, that no bond shall be less than Five Thousand Dollars (\$5,000). The Director shall not require a bond of more than Four Hundred Fifty Dollars (\$450) per acre without setting forth in writing to the operator a sufficient and reasonable basis for an increased amount. Liability under such bond shall be for the duration of the surface mining permit at each operation, and for a period of three (3) years thereafter, unless released prior thereto as provided by this Act and the rules and regulations of the Commission. In lieu of such bond, the operator may elect to submit to the Director cash or negotiable bonds of the United States Government, or the State of Alabama, or any municipality within the State. The amount of cash or market value of such securities shall be equal at least to the amount of the bond. The Director shall, upon receipt of any such cash or securities, immediately

deposit the same with the State Treasurer, whose duty it shall be to receive and hold the same in the name of the State, in trust, for the purposes for which such deposit is made. The State Treasurer shall at all times be responsible for the custody and safekeeping of such deposits. The operator making the deposit of securities shall be entitled from time to time to demand and receive from the State Treasurer, on the written order of the Director, the whole or any portion of any securities so deposited, upon depositing with him in lieu thereof cash or other negotiable securities of the classes herein specified having a market value at least equal to the sum of said securities; provided, however, that where securities, deposited as aforesaid, mature or are called, the State Treasurer, at the request of the operator, shall convert such securities into such other negotiable securities of the classes herein specified as may be designated by the operator. The total coverage of the bond or amount of cash and securities shall be increased or reduced from time to time as land is added to or withdrawn from the permit as provided in this Act.

(2) Whenever an operator shall have completed all applicable requirements under the permit for part or all the affected land, he shall notify the Director thereof. The Director shall within thirty (30) days after such notification inspect the affected land designated by the operator and, if the land has been reclaimed as required by the permit, shall, within 60 days after the notification by the operator, release the operator from further obligations regarding such affected land and reduce or release the bond or substituted cash or securities of the operator.

(3) A bond filed as above prescribed shall be conditioned so that it cannot be cancelled by the surety with less than ninety (90) days written notice to the Director. If a bond is cancelled after such notice, the operator shall, on or before the effective date of such cancellation, substitute another bond or cash or securities as provided herein.

(4) If the authorization or license to do business in the State of any surety upon a bond filed with the Director pursuant to this Act shall be suspended or revoked, the operator, within thirty (30) days after receiving written notice thereof from the Director, shall substitute for such surety a good and sufficient corporate surety licensed to do business in the State of Alabama, or another bond, or cash or securities in lieu thereof as provided hereinabove.

(5) The failure of the operator to make substitution of surety, bond, cash or securities, as provided in Subsections 3 and 4 next above shall result in the automatic suspension of the permit of the operator to conduct surface mining on the affected land in such permit. The operator shall not conduct further mining on the affected land until substitution as provided hereinabove has been made.

Section 15. Confidentiality of Records.

Any record, report, or information obtained under this Act shall be available to the public, except as provided elsewhere in this Act and except that upon a verified representation to the Commission by an applicant, licensee or permittee that a record, report, or information, or particular part thereof, to which the Commission has access under this Act, if made public, would divulge production or financial data or methods, processes, or production unique to the person, or would otherwise tend to affect adversely the competitive position of the person the Commission shall treat the record, report, or information or particular portion thereof as confidential in the administration of this Act.

Section 16. Violations, Administrative Procedures, and Appeals from Orders of the Commission.

(1) Whenever the Commission determines that any operator allegedly has not complied with the provisions of this Act and is allegedly in violation of this Act, or rules and regulations of the Commission, the Commission may cause to have issued and served upon the person alleged to be committing such violation a written notice which shall specify the provision of this Act and/or the rules and regulations of the Commission, which such operator allegedly is violating, and a statement of the manner in, and the extent to which said operator is alleged to violate this Act and/or the rules and regulations of the Commission, and shall require the person so complained against to answer the charges of such formal complaint at a hearing before the Commission at a time not less than ten (10) days nor more than thirty (30) days after the service of notice. The Director shall issue subpoenas at the instance of the Commission and at the request of the charged operator, requiring the attendance of witnesses and the production of such evidence as may be relevant to such hearing. The charged operator may appear in person or by representative counsel at such hearing. Testimony shall be taken under oath and recorded stenographically at such hearing and the charged operator shall have the right to cross-examine witnesses at such hearing. A copy of the record of such hearing shall be furnished to the charged operator upon payment of the cost of such copy. The Commission shall enter such order as it deems appropriate on the basis of the facts presented and forthwith mail a copy thereof to the charged operator or its attorney of record. If such order of the Commission is not complied with, the Commission may commence proceedings under Section 17 of this Act.

(2) Any operator may appeal any order of the Commission to the Circuit Court, of the judicial circuit in which the operator has his principal place of business in Alabama, or of the judicial circuit where the property affected by the order is located, provided that such proceeding is filed in said court within thirty (30) days following the date of such order. The Commission shall be made a party to the court proceeding, and service shall be made upon the Director, whose domicile for the purpose of service shall be deemed to be the office of the Director in Montgomery, Alabama. The cause shall be tried de novo in said Circuit Court and shall be a preference case on the docket thereof. The Court shall have jurisdiction to determine the reasonableness and lawfulness of the order of the Commission. Upon a finding by the Court that the order is not reasonable or lawful, the cause shall be remanded to the Commission for further proceedings in accordance with the provisions of this Act. The parties shall have all rights of exception and appeal as in other equity cases. On any appeal of an order of the Commission, the operator may upon application to the Circuit Court, supersede any order of the Commission on giving such supersedeas bond in an amount the Court deems proper and necessary to avoid the likelihood of material damage. Such a bond shall be made payable to the State of Alabama. If a supersedeas bond has been given on appeal to the Circuit Court as hereinabove provided for, such bond shall continue in force and effect during an appeal to the Supreme Court of Alabama and until final adjudication of the cause, and all the conditions of such bond shall be complied with, and no other supersedeas bond need be given by the Operator unless the court hearing the cause shall determine that the amount of such supersedeas bond is either excessive or inadequate, in which case the court may order such bond reduced or increased as the court may decide.

(3) Nothing in this Act shall prevent the Commission or the Director from making efforts to obtain voluntary compliance through warning, conference or any other appropriate means.

Section 17. Legal Remedies, Enforcement Proceedings, and Penalties.

(1) Should the Commission determine that any final order made by it under the procedure set forth in Section 16, not then the subject of judicial review, is being violated by any operator, then the Commission may cause to have instituted a civil action in any court of competent jurisdiction to forfeit the bond of the operator as to land affected by the operator's violation of this Act or for injunctive or other appropriate relief to prevent any further or continued violation of such final order. In addition to forfeiture of said bond the court may levy a fine of up to Five Thousand Dollars (\$5,000) for each day said operator continues to violate said final order.

(2) Any person required by this Act to have a permit who engages in coal surface mining without a permit to do so as prescribed by this Act, upon action instituted by the Commission in a court of competent jurisdiction and judgment against such person, shall be fined not less than two Thousand Dollars (\$2,000) nor more than Five Thousand Dollars (\$5,000) for each day it is determined that said person engaged in coal surface mining without a permit and shall be required to post a bond or securities as provided in Section 14 of this Act and to reclaim the affected land, resulting from such person's surface mining without a permit in accordance with the requirements of Section 8 of this Act.

(3) The Attorney General shall have the power to institute and maintain in the name of the State enforcement proceedings, for proper administration of this Act by the Commission.

(4) Any person who willfully misrepresents any fact or willfully gives false information in any application or report required under this Act may be fined, in addition to the other fines imposed in this Act, not less than One Thousand Dollars (\$1,000), nor more than Five Thousand Dollars (\$5,000) for each offense.

(5) Any operator who forfeits his bond for willful failure to reclaim the affected land shall not be issued a new permit for any operation in which he owns any interest until he has paid to the Commission for the Alabama Surface Mining and Reclamation Fund the sum equal to the amount of coverage of the forfeited bond. This repayment will not affect the previous bond forfeiture of the operator.

(6) The parties shall have all rights of exception and appeal.

Section 18. Citizens Suits.

Any citizen of this State having knowledge that any of the provisions of this Act are willfully and deliberately not being enforced by any public officers or employee whose duty it is to enforce any of the provisions of this Act, shall bring such failure to enforce the law to the attention of such public officer or employee. To provide against unreasonable and irresponsible demands being made, all such demands to enforce the law must be in writing, under oath, with facts set forth specifically stating the nature of the failure to enforce the law, and by each citizen complainant posting with the court a bond of Five Hundred Dollars (\$500) with the citizen, as principal, and a good

and sufficient corporate surety licensed to do business in Alabama, as surety, which bonds shall be forfeited to the State in the event of a verdict in favor of such public officer or employee. The stating of false facts and charges in such affidavit shall constitute a perjury and shall subject the affiant to penalties prescribed under the law for perjury. If such public officer or employee neglects or refuses for an unreasonable time after demand to enforce such provision, any such citizen shall have the right to bring an action of mandamus in the Circuit Court of the county in which the operation which relates to the alleged lack of enforcement is being conducted. The court, if satisfied that any provision of this Act or the rules and regulations of the Commission is not being enforced, may make an appropriate order compelling the public officer or employee, whose duty it is to enforce such provision, to perform his duties, and upon failure to do so such public officer or employee shall be held in contempt of court and shall be subject to the penalties provided by the laws of the State in such cases.

Section 19. Alabama Surface Mining and Reclamation Fund.

(1) All sums received through the payment of fees, the forfeiture of bonds, the recovery of civil penalties, or appropriations by the Legislature, shall be placed in the State Treasury and credited to an account designated as the Surface Mining and Reclamation Fund no later than six months after the effective date of this Act. This fund, which is hereby established, shall be available to the Commission for expenditure in the administration and enforcement of this Act, training and research programs, and for the reclamation and revegetation of land affected by coal surface mining, provided, that the proceeds from the forfeiture of any bond shall be used to the extent required in completing reclamation and revegetation of the area with respect to which the bond applies. Any unencumbered and any unexpended balance of this fund remaining at the end of any fiscal year shall not lapse, but shall be carried forward for the purpose of this Act until expended.

(2) There is authorized to be appropriated to the Alabama Surface Mining and Reclamation Fund initially the sum of 500,000 dollars, and such other sums as may thereafter be appropriated by the Legislature.

Section 20. Nonapplicability.

The provisions of this Act shall not apply to surface mining activities of the State Highway Department, or city, county or municipality, incident to their activities in constructing, repairing, and maintaining the public road system in Alabama. The provisions of this section shall also extend to any person, firm, or corporation contracting with the State Highway Department, city, county or municipality, to construct, repair and maintain public roads, provided such contracts contain standards for the reclamation of all affected surface mining areas, and provided further that such standards have been approved by the Department.

Section 21. Savings and Conforming Provisions.

(1) No suit, action, or other proceeding lawfully commenced by or against the Director of the Department of Industrial Relations or any other officer or employee of the State of Alabama in his official capacity or in relation to the discharge of his official duties under Act No. 399 (Regular Session, 1969), as in effect immediately prior to the effective date of this Act shall abate by reason of the taking effect of this Act.

REGULAR SESSION
29th Day

3493

(2) All rules, regulations, orders, determinations, or other actions duly issued, made, or taken, except as to coal surface mining, pursuant to Act No. 399 (Regular Session, 1969) in effect immediately prior to the effective date of this Act, and pertaining to any functions, powers, requirements, and duties under said Act No. 399, shall continue in full force and effect after the effective date of this Act unless, or until, modified or rescinded by, or in accordance with, this Act.

(3) Not later than six months after the effective date, any books, records, equipment, facilities, notes, and accounts receivable and all property of the Department of Industrial Relations acquired or used in the administration of said Act No. 399 as said act pertains to the regulation of coal surface mining shall be transferred to the Commission. The transfer shall be made by the Director of the Department of Industrial Relations.

Section 22. Repealer.

This Act is cumulative and is intended to supplement existing law, and no part hereof shall be construed to repeal any existing laws especially enacted for the control, abatement, or prevention of water or air pollution; however, the Alabama Surface Mining Act of 1969 (Act No. 399 Regular Session, 1969) is repealed as to the regulation of surface mining of coal, but is not repealed as to the regulation of surface mining of clay, sand, gravel, ores and other minerals, except limestone, marble and dolomite.

Section 23. Severability.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 24. Effective Date.

This Act shall become effective upon its passage and signing by the Governor, or its otherwise becoming law. However, for a period of six (6) months from the effective date of this Act, existing permits may be renewed and new permits may be issued under either the Surface Mining Act of 1969 (Act 399, Regular Session, 1969) or the Alabama Surface Mining and Reclamation Act of 1973 in order to facilitate an orderly transition.

And the substitute was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Burgess	Crowe	Hale
Adams	Callahan	Culver	Hardin
Adwell	Carnes	Dill	Harris
Agee	Carter	Downing	Headley
Bank	Casey	Drake	Hearn
Barkett	Cauthen	Edwards	Hill
Barron	Chesnut	Ellis	Hughes
Bassett	Collins	Fite	Jackson
Benton	Connell	Flippo	Jones (F)
Boles	Coshatt	Gafford	King
Boutwell	Cottingham	Goodwin	Kinsey
Bowers	Crawford	Grainger	Lang
Brassell	Cross	Grey (D)	Lutz

JOURNAL OF THE HOUSE, 1973
29th Day

McCluskey	Parker	Smith (K)	Turnham
McCorquodale	Perloff	Smith (P)	Waggoner
McMillan	Porter	Snell	Waldrop
McNair	Pruitt	Stewart	Wallace
Manley	Reid (R)	Stokes	Warren
Mathews	Reynolds	Stubbs	Weeks
May	Roberts	Taylor	Williams
Meeks	Robertson	Therrell	Wise
Nettles	St. John	Timmons	Wood
O'Daniel	Slate	Turner	Wynot
Owens			

—93

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Commerce and Transportation, said Committee amendment being as follows:

Amend Section 14, page 18 of Substitute for H. B. 1591 by Crowe and others, in paragraph 1 of said section on line 11, change the line to read "the bond required for permit shall not be less than \$550.00 nor more than \$1200.00."

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Roberts
Adwell	Dill	Lang	Robertson
Agee	Downing	Lutz	St. John
Bank	Drake	McCluskey	Slate
Barkett	Edwards	McCorquodale	Smith (K)
Barron	Ellis	McDonald	Smith (P)
Bassett	Falkenburg	McMillan	Snell
Benton	Fite	McNair	Stewart
Boles	Flipppo	Manley	Stokes
Boutwell	Gafford	Mathews	Stubbs
Bowers	Goodwin	May	Taylor
Brassell	Grainger	Meeks	Therrell
Burgess	Grey (D)	Merrill	Timmons
Callahan	Hale	Nettles	Turner
Carnes	Hardin	O'Daniel	Turnham
Carter	Harris	Owens	Waldrop
Cauthen	Headley	Parker	Wallace
Chesnut	Hearn	Perloff	Warren
Collins	Hill	Porter	Weeks
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Hughes	Reid (R)	Wood
Cross	Jones (F)	Reynolds	Wynot
Crowe	King		

—90

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Commerce and Transportation, said Committee amendment being as follows:

Amend Substitute for H. B. 1591 on page 23, Section 17, paragraph 4 by deleting the words and figure "One Thousand Dollars (\$1,000), and adding in lieu thereof "Fifteen Hundred Dollars (\$1500.00) and delete the words and figure "nor more than Five Thousand Dollars (\$5000) and in lieu thereof adding the words and figure "Seven Thousand Dollars (\$7000)."

REGULAR SESSION
29th Day

3495

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reid (R)
Adams	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	Mathews	Therrell
Callahan	Grainger	May	Timmons
Carnes	Grey (D)	Meeks	Turner
Carter	Hale	Merrill	Turnham
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Parker	Weeks
Coshatt	Hill	Perloff	Wise
Cottingham	Hobbie	Porter	Wood
Crawford	Hughes	Pruitt	Wynot
Cross	Jackson		

—90

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Commerce and Transportation, said Committee amendment being as follows:

Amend Substitute for H. B. 1591, Section 18, page 24, 11th line, by deleting the following words: "and by each citizen complainant posting with the court a bond of Five Hundred Dollars (\$500) with the citizen, as principal, and a good and sufficient corporate surety licensed to do business in Alabama, as surety, which bonds shall be forfeited to the State in the event of a verdict in favor of such public officer or employee."

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Carter	Ellis	Hobbie
Adams	Cauthen	Erdreich	Hughes
Agee	Chesnut	Falkenburg	Jackson
Bank	Collins	Fite	Jones (F)
Barkett	Connell	Flippo	King
Barron	Cottingham	Gafford	Kinsey
Bassett	Crawford	Goodwin	Lang
Benton	Cross	Grainger	Lutz
Boutwell	Crowe	Grey (D)	McCluskey
Bowers	Culver	Hale	McCorquodale
Brassell	Dill	Hardin	McDonald
Burgess	Downing	Harris	McMillan
Callahan	Drake	Hearn	McNair
Carnes	Edwards	Hill	Manley

Mathews	Porter	Smith (P)	Waggoner
May	Pruitt	Snell	Waldrop
Meeks	Reid (R)	Stewart	Wallace
Merrill	Reynolds	Stokes	Warren
Nettles	Roberts	Stubbs	Weeks
O'Daniel	Robertson	Therrell	Wise
Owens	St. John	Timmons	Wood
Parker	Slate	Turner	Wynot
Perloff	Smith (K)	Turnham	

—91

The question was then on the adoption of the amend #4 reported by the Standing Committee on Commerce and Transportation, said Committee amendment being as follows:

Amend Committee Substitute for H. B. 1591, Section 10, by adding the following sentence at the end of the Section.

"Provided, however, that whenever the commission determines the above stated rules, regulations and standards to be inadequate, it shall have the authority to establish such rules and regulations of the commission and enforce the same."

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Roberts
Adams	Dill	King	Robertson
Adwell	Downing	Kinsey	St. John
Agee	Drake	Lang	Slate
Bank	Edwards	Lutz	Smith (K)
Barkett	Ellis	McCluskey	Smith (P)
Barron	Erdreich	McCorquodale	Snell
Bassett	Falkenburg	McDonald	Stewart
Benton	Fite	McMillan	Stokes
Boles	Flipppo	McNair	Stubbs
Boutwell	Gafford	Manley	Taylor
Bowers	Goodwin	Mathews	Therrell
Brassell	Grainger	May	Timmons
Burgess	Grey (D)	Meeks	Turner
Callahan	Hale	Merrill	Turnham
Carnes	Hardin	Nettles	Waggoner
Carter	Harris	O'Daniel	Waldrop
Cauthen	Headley	Owens	Wallace
Chesnut	Hearn	Parker	Warren
Collins	Hill	Perloff	Weeks
Connell	Hobbie	Porter	Wise
Cottingham	Hughes	Reid (R)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—93

The question was then on the adoption of the amendment #5 reported by the Standing Committee on Commerce and Transportation, said Committee amendment being as follows:

Amend Substitute to H. B. 1591, Section 9, subsection 1 (f) by adding the following sentence at the end of the sentence:

"All seed used in revegetation shall be of the perennial classification."

REGULAR SESSION
29th Day

3497

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Roberts
Adams	Dill	King	Robertson
Adwell	Doss	Kinsey	St. John
Agee	Downing	Lang	Slate
Bank	Drake	Lutz	Smith (K)
Barkett	Edwards	McCluskey	Smith (P)
Barron	Ellis	McCorquodale	Snell
Bassett	Erdreich	McDonald	Stewart
Benton	Falkenburg	McMillan	Stokes
Boles	Fite	McNair	Stubbs
Boutwell	Flippo	Manley	Taylor
Brassell	Gafford	Mathews	Therrell
Burgess	Goodwin	May	Timmons
Callahan	Grainger	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Nettles	Waggoner
Cauthen	Hardin	O'Daniel	Waldrop
Chesnut	Harris	Owens	Wallace
Collins	Headley	Parker	Warren
Connell	Hearn	Perloff	Weeks
Cottingham	Hill	Porter	Wise
Crawford	Hobbie	Pruitt	Wood
Cross	Hughes	Reid (R)	Wynot
Crowe	Jackson	Reynolds	

—95

Mr. Crowe offered the following amendment to the bill, H. 1591 as amended:

Amend Substitute for H. B. 1591, Section 10, by adding the following sentence at the end of the Section.

"Provided, however, that whenever the commission determines the above stated rules, regulations and standards to be inadequate, but not inconsistent with the reasonable and acceptable practices or proven methods in the industry, it shall have the authority to establish such rules and regulations of the commission and enforce the same."

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Brassell	Culver	Grey (D)
Adams	Callahan	Dill	Hale
Adwell	Carnes	Doss	Hardin
Agee	Carter	Downing	Harris
Bank	Cauthen	Drake	Headley
Barkett	Chesnut	Edwards	Hearn
Barron	Collins	Ellis	Hobbie
Bassett	Connell	Erdreich	Hughes
Benton	Cottingham	Falkenburg	Jackson
Boles	Crawford	Fite	Jones (F)
Boutwell	Cross	Goodwin	King
Bowers	Crowe	Grainger	Kinsey

Lang	Merrill	Roberts	Turner
Lutz	Nettles	Robertson	Turnham
McCluskey	O'Daniel	St. John	Waldrop
McCorquodale	Owens	Smith (K)	Wallace
McDonald	Parker	Smith (P)	Warren
McMillan	Perloff	Snell	Weeks
McNair	Porter	Stokes	Wise
Manley	Pruitt	Taylor	Wood
May	Reid (R)	Therrell	Wynot
Meeks	Reynolds	Timmons	

—87

Mr. Doss offered the following amendment #1 to the bill, H. 1591 as amended:

Substitute to House Bill 1591 is hereby amended to substitute the following Section for subsection (1) of Section 17.

(1) Should the Director determine that any final order of the Commission made by the Commission under the procedure set forth in Section 16, not then the subject of judicial review, is being violated by any operator, then the Director may cause to have instituted a civil action in any court of competent jurisdiction to forfeit the bond of the operator as to land affected by the operator's violation of this Act or for injunctive or other appropriate relief to prevent any further or continued violation of such final order. In addition to forfeiture of said bond the court may levy a fine of up to Five Thousand Dollars (\$5,000) for each day said operator continues to violate said final order.

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment #1 offered by Mr. Doss to the bill, H. 1591 as amended, was tabled.

Yeas 41; Nays 28.

Yeas:

Mr. Speaker	Cauthen	McCluskey	Pruitt
Adams	Collins	McCorquodale	Reynolds
Adwell	Crawford	McDonald	Robertson
Agee	Crowe	Manley	Smith (K)
Barkett	Dill	May	Smith (P)
Benton	Downing	Meeks	Snell
Bowers	Fite	Merrill	Stewart
Brassell	Hobbie	O'Daniel	Turner
Callahan	Kinsey	Owens	Waggoner
Carter	Lang	Parker	Wallace
Casey			

—41

Nays:

Messrs.:	Ellis	Hughes	Perloff
Barron	Erdreich	King	Reid (R)
Boles	Falkenburg	Lutz	Roberts
Boutwell	Goodwin	McMillan	Stubbs
Carnes	Grainger	McNair	Taylor
Connell	Hale	Naramore	Therrell
Cottingham	Headley	Nettles	Turnham
Drake			

—28

Mr. Doss offered the following amendment #2 to the bill, H. 1591 as amended:

**REGULAR SESSION
29th Day**

3499

Substitute to House Bill 1591 is hereby amended to add the following Section as subsection (4) of Section 8.

(4) No surface mining permit shall be issued to conduct any surface mining operation in which will in the opinion of the Commission damage or reduce the water quality of any river, lake, or stream, or which will constitute a nuisance to any citizen of the State of Alabama:

(a) No surface mining operation shall be conducted within 200 feet of any stream, river, or lake.

(b) No surface mining operation shall be conducted within 300 feet of any public road or highway.

(c) No surface mining operation shall be conducted within 1,000 feet of any public building or private residence; provided, however, that the owner of any private residence may waive this provision with regard to his property.

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment #2 offered by Mr. Doss to the bill, H. 1591 as amended, was tabled.

Yeas 43; Nays 33.

Yeas:

Mr. Speaker	Crawford	Jackson	Porter
Adams	Cross	Lang	Reynolds
Adwell	Crowe	McCluskey	Robertson
Agee	Culver	McCorquodale	Smith (K)
Bassett	Downing	McDonald	Smith (P)
Bowers	Fite	Manley	Snell
Brassell	Flippo	May	Stewart
Callahan	Gafford	Merrill	Turner
Casey	Grey (D)	O'Daniel	Turnham
Chesnut	Hill	Owens	Waggoner
Collins	Hobbie	Parker	

—43

Nays:

Messrs.:	Edwards	King	Roberts
Barron	Ellis	Lutz	Stokes
Boles	Erdreich	McMillan	Stubbs
Boutwell	Falkenburg	McNair	Taylor
Carnes	Grainger	Meeks	Timmons
Connell	Hale	Narmore	Waldrop
Cottingham	Headley	Nettles	Wallace
Dill	Hearn	Perloff	Wynot
Doss	Hughes		

—33

Mr. Doss offered the following amendment #3 to the bill, H. 1591 as amended:

Substitute to House Bill 1591 is hereby amended by inserting the following Section in substitution for subsection 3 of Section 8.

(3) The Director may not approve the application for a permit where the coal surface mining would be adjacent to any existing publicly-owned county, state, or national park, forest, or recreational area.

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment #3 offered by Mr. Doss to the bill, H. 1591 as amended, was tabled.

Yeas 42; Nays 33.

Yeas:

Mr. Speaker	Collins	Jackson	Porter
Adams	Crawford	Lang	Pruitt
Adwell	Crowe	McCluskey	Reynolds
Agee	Culver	McCorquodale	Robertson
Bowers	Downing	Manley	Slate
Brassell	Drake	Meeks	Smith (K)
Burgess	Fite	Merrill	Snell
Callahan	Flippo	O'Daniel	Stewart
Casey	Gafford	Owens	Turnham
Cauthen	Grey (D)	Parker	Wise
Chesnut	Hobbie		

—42

Nays:

Messrs.:	Ellis	King	Stokes
Barron	Falkenburg	Lutz	Stubbs
Bassett	Grainger	McMillan	Taylor
Benton	Hale	McNair	Therrell
Boles	Hardin	Narmore	Timmons
Boutwell	Headley	Nettles	Turner
Carnes	Hearn	Perloff	Waggoner
Cottingham	Hill	Roberts	Waldrop
Doss	Hughes		

—33

Mr. Erdreich offered the following amendment to the bill, H. 1591 as amended:

Substitute to House Bill 1591 is hereby amended to insert the following Section as a substitute for Section 18.

Section 18. Citizens Suits.

Any citizen of this state having knowledge that any of the provisions of this Act are willfully and deliberately not being enforced by any public officer or employee whose duty it is to enforce any of the provisions of this Act shall bring such failure to enforce the law to the attention of such public officer or employees. If such public officer or employee neglects or refuses for an unreasonable time after demand to enforce such provision any such citizen shall have the right to bring an action of mandamus in the Circuit Court of the county in which the operation which relates to the alleged lack of enforcement is being conducted. The court, if satisfied that any provision of this Act or the rules and regulations of the Commission is not being enforced, may make an appropriate order compelling the public officer or employee, whose duty it is to enforce such provisions, to perform his duties, and upon failure to do so such public officer or employee shall be held in contempt of court and shall be subject to the penalties provided by the laws of the State in such cases.

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment offered by Mr. Erdreich to the bill, H. 1591 as amended, was tabled.

REGULAR SESSION
29th Day

3501

Yeas 46; Nays 30.

Yeas:

Mr. Speaker	Collins	McCorquodale	Robertson
Adams	Connell	McDonald	Slate
Adwell	Cottingham	Manley	Smith (K)
Agee	Crawford	Meeks	Smith (P)
Bank	Crowe	Merrill	Snell
Barkett	Culver	O'Daniel	Stewart
Bowers	Downing	Owens	Timmons
Brassell	Fite	Parker	Turner
Burgess	Grey (D)	Porter	Turnham
Callahan	Hobbie	Pruitt	Waggoner
Casey	Lang	Reynolds	Wise
Chesnut	McCluskey		

—46

Nays:

Messrs.:	Ellis	Hughes	Roberts
Barron	Erdreich	King	St. John
Bassett	Falkenburg	Lutz	Stokes
Boles	Grainger	McMillan	Stubbs
Boutwell	Hale	McNair	Taylor
Carnes	Hardin	Naramore	Therrell
Cauthen	Headley	Nettles	Waldrop
Doss	Hearn	Perloff	

—30

UNANIMOUS CONSENT GRANTED

At the request of Mr. Waggoner, unanimous consent was granted for the Journal to show him voting "Yea" on the bill, H. 805.

**REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 691. To authorize and provide for the promotion of the production, marketing, use and sale of swine and swine products by research, education, advertising and other methods; and prescribing a method whereby swine producers may act jointly with handlers, buyers, processors, the state board of agriculture and industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the swine producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of swine throughout the State, and providing for collection and distribution of assessments by dealers, handlers, and buyers of swine; requiring an annual permit of such dealers, processors,

and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

H. 1591 RESUMED

Mr. Boles offered the following amendment to the bill, H. 1591 as amended:

Substitute to House Bill 1591 is hereby amended by inserting the following Section in substitution for sub-paragraph (c) of paragraph (A) of subsection (1) of Section 9.

(c) Provisions for complete backfilling of all pits, including the final pit, the applicant may elect to impound water to provide lakes or ponds of approved design for wildlife recreational, or water supply purposes if it is a part of the approved reclamation plan, and if such lakes or ponds are properly sealed with clay or other non-porous material to prevent the seepage of toxic substances.

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment offered by Mr. Boles to the bill, H. 1591 as amended, was tabled.

Yeas 37; Nays 36.

Yeas:

Mr. Speaker	Crawford	Jackson	Porter
Adwell	Crowe	Lang	Pruitt
Boles	Dill	McCluskey	Reynolds
Brassell	Downing	McDonald	Robertson
Callahan	Fite	Manley	Smith (P)
Carter	Goodwin	Meeks	Snell
Casey	Hearn	Merrill	Stewart
Cauthen	Hobbie	Owens	Turnham
Chesnut	Hughes	Parker	Waggoner
Collins			

—37

Nays:

Messrs.:	Cottingham	Grey (D)	McNair
Barkett	Doss	Hale	Naramore
Barron	Easters	Hardin	Nettles
Bassett	Ellis	Headley	Perloff
Boutwell	Erdreich	King	Reid (R)
Carnes	Falkenburg	Lutz	Roberts
Coshatt	Grainger	McMillan	St. John

REGULAR SESSION
29th Day

3503

Slate
Smith (K)
Stokes

Stubbs
Taylor

Therrell
Timmons

Waldrop
Wallace

—36

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Boles moved to reconsider the vote by which his amendment to the bill, H. 1591 as amended, was tabled, and the motion was adopted.

Yeas 47; Nays 34.

Yeas:

Messrs.:
Barkett
Barron
Bassett
Boles
Boutwell
Burgess
Carnes
Cauthen
Connell
Coshatt
Doss

Downing
Easters
Edwards
Ellis
Erdreich
Falkenburg
Gafford
Goodwin
Grainger
Grey (D)
Hale
Hardin

Hearn
Hughes
King
Lang
Lutz
McMillan
McNair
Mathews
Naramore
Nettles
Perloff
Reid (R)

Reynolds
Roberts
Smith (K)
Stokes
Stubbs
Taylor
Therrell
Timmons
Waldrop
Wallace
Warren
Wynot

—47

Nays:

Mr. Speaker
Adwell
Agee
Bowers
Brassell
Callahan
Casey
Chesnut
Collins

Culver
Dill
Fite
Harris
Hobbie
Jackson
McCluskey
McCorquodale
McDonald

Manley
Meeks
Merrill
O'Daniel
Owens
Parker
Porter
Pruitt

Robertson
Slate
Smith (P)
Snell
Stewart
Turner
Turnham
Waggoner

—34

MOTION TO TABLE LOST

The motion offered by Mr. Crowe to table the amendment offered by Mr. Boles to the bill, H. 1591 as amended, was lost.

Yeas 32; Nays 53.

Yeas:

Mr. Speaker
Adwell
Agee
Bowers
Brassell
Burgess
Callahan
Carter

Casey
Chesnut
Collins
Cross
Downing
Drake
Fite
Jackson

Lang
McCluskey
McCorquodale
McDonald
Manley
Meeks
Merrill
O'Daniel

Owens
Parker
Porter
Pruitt
Robertson
Smith (P)
Snell
Stewart

—32

Nays:

Messrs.:
Adams
Bank

Barkett
Barron
Bassett

Boles
Boutwell
Carnes

Connell
Coshatt
Cottingham

Dill	Hale	Naramore	Taylor
Doss	Hardin	Nettles	Therrell
Easters	Headley	Perloff	Timmons
Edwards	Hearn	Reynolds	Turner
Ellis	Hill	Roberts	Turnham
Erdreich	Hobbie	St. John	Waggoner
Falkenburg	Hughes	Slate	Waldrop
Flippo	King	Smith (K)	Wallace
Goodwin	Lutz	Stokes	Warren
Grainger	McMillan	Stubbs	Wynot
Grey (D)	McNair		

—53

The question was again on the amendment offered by Mr. Boles to the bill, H. 1591 as amended, and the amendment was adopted.

Yeas 59; Nays 17.

Yeas:

Messrs.:	Doss	Hobbie	Robertson
Adams	Downing	Hughes	St. John
Bank	Easters	King	Slate
Barkett	Edwards	Lang	Smith (K)
Barron	Ellis	Lutz	Stewart
Bassett	Erdreich	McMillan	Stokes
Boles	Falkenburg	McNair	Stubbs
Boutwell	Flippo	Merrill	Taylor
Burgess	Goodwin	Naramore	Therrell
Carnes	Grainger	Nettles	Timmons
Connell	Hale	Owens	Waggoner
Coshatt	Hardin	Perloff	Waldrop
Cottingham	Headley	Reid (R)	Wallace
Crawford	Hearn	Reynolds	Warren
Dill	Hill	Roberts	Wynot

—59

Nays:

Mr. Speaker	Carter	Fite	Parker
Adwell	Casey	McCluskey	Pruitt
Agee	Collins	McCorquodale	Smith (P)
Brassell	Cross	McDonald	Snell
Callahan			

—17

And the bill:

H. 1591. To establish a system of regulation and control of coal surface mining and reclamation, a declaration of public policy and legislative intent, the creation and establishing of the Alabama Surface Mining and Reclamation Commission with powers and authority, establishes necessity of licenses and permits with a right to surface mine and proper application therefor, requires a conservation and reclamation plan and map, and blasting regulations, sets application fees, bond of operator, sufficiency of surety, cancellation by surety and suspension of operator's permit, provides for confidentiality of certain records, violations, administrative procedures, appeals from orders of the Commission, legal remedies, enforcement proceedings, nonapplicability and penalties, establishes the Alabama Surface Mining and Reclamation Fund, provides for citizens' suits, saving and conforming provisions and establishes the effective date and orderly transition to said new act and repeal of the Surface Mining Act of 1969 (Act 399 Regular Session) as to regulation of coal surface mining only.

REGULAR SESSION
29th Day

3505

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 9.

Yeas:

Mr. Speaker	Dill	Lutz	Robertson
Adams	Downing	McCluskey	St. John
Adwell	Drake	McCorquodale	Slate
Agee	Easters	McDonald	Smith (K)
Barkett	Edwards	McMillan	Smith (P)
Barron	Ellis	McNair	Snell
Benton	Fite	Manley	Stewart
Boles	Flippo	Mathews	Stokes
Bowers	Gafford	May	Stubbs
Brassell	Goodwin	Meeks	Taylor
Burgess	Grey (D)	Merrill	Therrell
Callahan	Hale	Naramore	Timmons
Carter	Harris	O'Daniel	Turner
Casey	Headley	Owens	Turnham
Chesnut	Hearn	Parker	Waggoner
Collins	Hill	Perloff	Wallace
Connell	Hobbie	Porter	Warren
Coshatt	Hughes	Pruitt	Weeks
Cottingham	Jackson	Reed (T)	Williams
Crawford	Jones (F)	Reid (R)	Wise
Cross	King	Reynolds	Wood
Crowe	Kinsey	Roberts	Wynot
Culver	Lang		

—90

Nays:

Messrs.:	Carnes	Grainger	Nettles
Bassett	Doss	Hardin	Waldrop
Boutwell	Erdreich		

—9

And the bill:

H. 1652. To create an additional circuit judgeship for the Twenty-eighth Judicial Circuit of Alabama; to provide for the term, compensation, powers, duties, and authority of such judge; to designate the primary function of such judge and the judge heretofore provided for such circuit; to designate the presiding judge of such circuit.

Was taken up.

Mr. Benton offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Twenty-eighth Judicial Circuit; providing for an additional circuit judge in such circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created an additional judgeship for the Twenty-eighth Judicial Circuit, which shall be designated judgeship No. 2. The existing judgeship shall be designated judgeship No. 1. An additional

judge shall be elected at the election year 1974, who shall take office at the time newly elected officers take office in the year 1975, and shall hold office until his successor is elected and qualified as provided in Article VI, Sections 158 and 159 of the Constitution of Alabama. The judge for the additional judgeship shall be elected thereafter as are other circuit judges of this State.

Section 2. The judge elected as provided in Section 1 of this Act shall have and shall exercise all of the jurisdiction, power, right and authority; shall possess all of the qualifications; shall perform all of the duties required; and shall be subject to all of the pains and penalties of such office as the other judge is subject to in the same circuit.

Section 3. The compensation of such judge shall be paid in the same amount and under the same terms and manner as that of the other judge in the circuit.

Section 4. The judge may appoint a bailiff and a court reporter whose qualifications, powers, duties and authority shall be the same as such other bailiffs and reporters of the circuit court and whose compensation shall be in the same amount and under the same terms and manner as other bailiff and reporter of the Twenty-eighth Judicial Circuit.

Section 5. The existing judgeship in said circuit shall be designated as judgeship No. 1 and the additional judgeship created by this Act shall be designated as judgeship No. 2. The present judge shall be the presiding judge until the expiration of his term of office and thereafter the judge who has been in office as circuit judge for the longest period of time shall be the presiding judge, but if neither of them has been in office longer than the other, the Chief Justice of the Supreme Court shall name the presiding judge. Candidates for the office of circuit judge in said circuit shall designate whether they are candidates for the office of circuit judge No. 1 or for the office of circuit judge No. 2.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Bowers	Coshatt	Edwards
Adams	Brassell	Cottingham	Ellis
Adwell	Burgess	Cross	Erdreich
Agee	Callahan	Crowe	Falkenburg
Barkett	Carnes	Culver	Fite
Barron	Carter	Dill	Flippo
Bassett	Casey	Doss	Gafford
Benton	Chesnut	Downing	Goodwin
Boles	Collins	Drake	Grainger
Boutwell	Connell	Easters	Gray (F)

REGULAR SESSION
29th Day

3507

Grey (D)	Lutz	Parker	Stokes
Hale	McCorquodale	Perloff	Stubbs
Hardin	McDonald	Porter	Therrell
Harris	McMillan	Pruitt	Timmons
Hearn	McNair	Reed (T)	Turner
Hill	Manley	Reid (R)	Turnham
Hobbie	Mathews	Reynolds	Waggoner
Hughes	May	Roberts	Wallace
Jackson	Meeks	Robertson	Warren
Jones (F)	Merrill	Smith (K)	Weeks
King	Naramore	Smith (P)	Williams
Kinsey	O'Daniel	Snell	Wise
Lang	Owens	Stewart	Wynot

—92

And the bill:

H. 1652. Relating to the Twenty-eighth Judicial Circuit; providing for an additional circuit judge in such circuit.

As thus amended, was read a third time at length and passed, and ordered sent to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Reynolds
Adams	Dill	Jones (F)	Roberts
Adwell	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Barkett	Drake	Lang	Slate
Barron	Easters	Lutz	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stewart
Boutwell	Falkenburg	McNair	Stokes
Bowers	Fite	Manley	Stubbs
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Naramore	Waggoner
Casey	Grey (D)	O'Daniel	Waldrop
Chesnut	Hale	Owens	Wallace
Collins	Hardin	Parker	Warren
Connell	Harris	Perloff	Weeks
Coshatt	Hearn	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Cross	Hobbie	Reed (T)	Wood
Crowe	Hughes	Reid (R)	Wynot

—96

And the bill:

H. 1594. To further amend Section 8 of Act No. 344, H. 301, 1955 Regular Session of the Alabama Legislature (Acts of 1955, p. 780), as amended, which Act relates to the Fort Morgan Historical Commission, so as to provide further for the expenditure of certain funds received by said commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Roberts
Adwell	Dill	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lang	Slate
Barkett	Easters	McCorquodale	Smith (K)
Barron	Edwards	McDonald	Smith (P)
Bassett	Ellis	McMillan	Snell
Benton	Erdreich	Manley	Stewart
Boles	Falkenburg	Mathews	Stokes
Boutwell	Fite	May	Therrell
Bowers	Flippo	Meeks	Timmons
Brassell	Gafford	Merrill	Turner
Burgess	Goodwin	Naramore	Turnham
Callahan	Grainger	Nettles	Waggoner
Carnes	Grey (D)	O'Daniel	Waldrop
Carter	Hale	Owens	Wallace
Casey	Hardin	Parker	Warren
Chesnut	Hearn	Perloff	Weeks
Connell	Hill	Porter	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Hughes	Reed (T)	Wood
Cross	Jackson	Reynolds	Wynot
Crowe			

—89

And the bill:

H. 389. To amend section 2 of Act No. 419, H. 459, Special Session of the Alabama Legislature of 1966 (Acts 1966, p. 564) entitled "To exempt fuel and supplies used aboard commercial fishing vessels from sales and use taxes"; so as to redefine the term "commercial fishing vessels."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Carter	Ellis	Jackson
Adams	Casey	Erdreich	Jones (F)
Adwell	Cauthen	Falkenburg	King
Agee	Chesnut	Fite	Kinsey
Bank	Connell	Flippo	Lang
Barkett	Coshatt	Gafford	Lutz
Barron	Cottingham	Goodwin	McCorquodale
Bassett	Cross	Grainger	McDonald
Benton	Crowe	Gray (F)	McMillan
Boles	Culver	Grey (D)	McNair
Boutwell	Dill	Hale	Manley
Bowers	Doss	Hardin	Mathews
Brassell	Downing	Hearn	May
Burgess	Drake	Hill	Meeks
Callahan	Easters	Hobbie	Naramore
Carnes	Edwards	Hughes	Nettles

REGULAR SESSION
29th Day

3509

Owens	Roberts	Stokes	Wallace
Parker	Robertson	Therrell	Warren
Perloff	St. John	Timmons	Weeks
Porter	Slate	Turner	Williams
Pruitt	Smith (K)	Turnham	Wise
Reed (T)	Smith (P)	Waggoner	Wood
Reid (R)	Snell	Waldrop	Wynot
Reynolds	Stewart		

—94

And the bill:

H. 1682. To transfer the historic property known as the Powder Magazine owned by the Finance Department of the State of Alabama to the City of Montgomery.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reid (R)
Adams	Crowe	Jackson	Reynolds
Adwell	Culver	Jones (F)	Roberts
Agee	Dill	King	Robertson
Bank	Doss	Kinsey	St. John
Barkett	Downing	Lang	Slate
Barron	Drake	Lutz	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Snell
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Timmons
Burgess	Gafford	May	Turner
Callahan	Goodwin	Meeks	Turnham
Carnes	Grainger	Merrill	Waggoner
Carter	Grey (D)	Naramore	Waldrop
Casey	Hale	Nettles	Wallace
Cauthen	Hardin	O'Daniel	Warren
Chesnut	Harris	Owens	Weeks
Collins	Headley	Parker	Williams
Connell	Hearn	Perloff	Wise
Coshatt	Hill	Porter	Wood
Cottingham	Hobbie	Pruitt	Wynot

—96

And the bill:

H. 1873. To provide for reapportionment of the two houses of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 7.

Yeas:

Mr. Speaker	Culver	Hughes	Reynolds
Adwell	Dill	Jackson	Roberts
Agee	Doss	Jones (F)	Robertson
Bank	Downing	King	St. John
Barkett	Drake	Kinsey	Slate
Barron	Edwards	Lang	Smith (K)
Bassett	Ellis	Lutz	Smith (P)
Benton	Erdreich	McCluskey	Snell
Boles	Falkenburg	McCorquodale	Stewart
Boutwell	Fite	Manley	Stokes
Bowers	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Naramore	Turner
Carter	Grey (D)	Nettles	Turnham
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Headley	Parker	Warren
Connell	Hearn	Porter	Weeks
Coshatt	Hill	Pruitt	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Cross			

—85

Nays:

Messrs.:	Casey	McDonald	Perloff
Adams	Gray (F)	McMillan	Wise

—7

And the bill:

H. 1023. To further identify creditable years of service under the Employees' Retirement System of Alabama, and Teachers' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 4.

Yeas:

Messrs.:	Coshatt	Grey (D)	Meeks
Adams	Cottingham	Harris	Merrill
Agee	Cross	Headley	Naramore
Bank	Crowe	Hearn	Owens
Barkett	Culver	Hill	Parker
Benton	Dill	Hobbie	Perloff
Boles	Downing	Hughes	Porter
Boutwell	Easters	Jackson	Pruitt
Bowers	Edwards	Jones (F)	Reed (T)
Brassell	Ellis	King	Reid (R)
Burgess	Falkenburg	Lang	Roberts
Carnes	Fite	McCluskey	Robertson
Carter	Flippo	McDonald	St. John
Casey	Gafford	McMillan	Smith (K)
Chesnut	Grainger	Mathews	Smith (P)
Collins	Gray (F)	May	Snell

REGULAR SESSION
29th Day

3511

Stokes	Turner	Waldrop	Weeks	
Stubbs	Turnham	Wallace	Wise	
Taylor	Waggoner	Warren	Wynot	
Timmons				—76

Nays:

Messrs.: Barron	Cauthen	Hale	Nettles	—4
--------------------	---------	------	---------	----

And the bill:

H. 1571. To make a conditional appropriation for Capital Outlay purposes at the University of Alabama in Birmingham for the 1974-75 biennium.

Was taken up.

Mr. Boles offered the following amendment to the bill:

Introduction should read - To make a conditional appropriation for capital outlay purposes at the University of Alabama in Birmingham, and others for the 1974-75 biennium.

Delete Section 1 and insert in lieu thereof:

Section 1. In addition to all other appropriations heretofore made to the University of Alabama in Birmingham and others, there is hereby appropriated from the Alabama Special Education Trust Fund \$9,000,000 to WAB, \$1,500,000 to Jefferson State Junior College, \$550,000 to Lawson State Junior College for the purchase of Urban Renewal lands and improvements thereof for the fiscal year ending September 30, 1974. Provided however, that in the event funds are not available in the 1973-74 fiscal year and are available in the fiscal year ending September 30, 1975, said appropriations may be paid during the fiscal year of 1974-75.

AMENDMENT TABLED

On motion of Mr. Doss, the amendment offered by Mr. Boles to the bill, H. 1571, was tabled.

Yeas 47; Nays 5.

Yeas:

Messrs.:	Drake	Jackson	Nettles	
Adwell	Falkenburg	King	Owens	
Bank	Fite	Lang	Parker	
Barron	Flippo	Lutz	Reid (R)	
Bassett	Gafford	McCluskey	Reynolds	
Boutwell	Goodwin	McCorquodale	St. John	
Bowers	Grainger	McDonald	Slate	
Callahan	Grey (D)	McMillan	Smith (K)	
Chesnut	Hale	Manley	Stokes	
Cottingham	Hardin	Meeks	Timmons	
Culver	Harris	Merrill	Turner	
Dill	Hughes	Naramore	Warren	—47

Nays:

Messrs.: Carnes	Ellis Hill	Smith (P)	Waldrop	—5
--------------------	---------------	-----------	---------	----

And the bill, H. 1571, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 4.

Yeas:

Mr. Speaker	Dill	Hill	Reid (R)
Adams	Doss	Hobbie	Reynolds
Adwell	Drake	Hughes	Robertson
Bank	Edwards	King	St. John
Barron	Ellis	Lang	Smith (K)
Boles	Erdreich	Lutz	Smith (P)
Boutwell	Falkenburg	McCorquodale	Snell
Bowers	Fite	McMillan	Stokes
Brassell	Flippo	McNair	Stubbs
Callahan	Gafford	Manley	Therrell
Carter	Goodwin	May	Timmons
Casey	Grainger	Meeks	Turnham
Cauthen	Gray (F)	Merrill	Waggoner
Chesnut	Grey (D)	Nettles	Wallace
Coshatt	Hale	Owens	Warren
Cross	Hardin	Parker	Weeks
Crowe	Harris	Perloff	Williams
Culver	Hearn	Porter	

—71

Nays:

Messrs.:	McDonald	Stewart	Waldrop
Carnes			

—4

RESOLUTIONS

The following resolutions were introduced:

By Mr. Waldrop:

H. R. 196. COMMENDING CHESTER HICKS, CLAUDE SPRINGFIELD, GRADY GILLAM, STANLEY HARRIS, FLOYD BEDDINGFIELD, TOM MCKENZIE, EUGENE PRATOR, PAUL MELOUN, ED CARRELL, TOM CROSS, H. W. PUTNAM, OLLIE W. SCOTT, CHARLES BOMAN, MIKE McDOUGALD, DEMOCRATIC COMMITTEE, E. W. CARLSON, DR. S. ROWE, HARRY SIZEMORE, WILLIAM FLETCHER, NESTOR KAMPAKIS, GADSDEN CITY COMMISSION, OLLIE SCOTT, J. T. MCKENZIE, THE GADSDEN TIMES, CHARES TODD, MARVIN COHN, CONNIE ENTREKIN, JACK L. RAY, JERRY ROBERTS, RAY IGLEHART, BENJAMIN FRZIER, FED SINGTON, JR., MRS. JANICE ERWIN, CLARENCE SIMMONS, MRS. LU SEIGEL, J. D. JOHNS, JOHN ETCHISON, KIP WADSWORTH, MAX L. SMITH, H. RAY COX, CHARLES CANTRELL, WM. H. MILLS, JAMES WATTS, M. H. MCCARTNEY, W. T. DAWSON, JERRY WEAVER, A. S. KLYCE, ALAN BERMAN, BUNNY HAGEDORN, ROBERT ECHOLS, ALL OF GADSDEN, ALABAMA FOR THEIR OUTSTANDING WORK IN MAKING POSSIBLE THE DOWNTOWN ACTION COUNCIL'S FIRST "LEGISLATIVE WEEKEND," MAY 10-11, 1973, HONORING STATE OFFICIALS AND MEMBERS OF THE ALABAMA LEGISLATURE AND THEIR WIVES AND FRIENDS.

WHEREAS, the Downtown Action Council of Gadsden, Alabama, Metro Chamber of Commerce honored State officials, State Legislators, their wives and friends with "Legislative Weekend" on May 10-11, 1973; and

WHEREAS, every invited participant in the "Weekend" enjoyed himself tremendously; and

WHEREAS, this enjoyment was due to the hardwork and dedication of the members and sponsors of the Downtown Action Council; and

WHEREAS, they served on the Entertainment Committee and rendered outstanding service to the success of the Downtown Action Council's first "Legislative Weekend."

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That, they be commended for helping make possible the success of the Downtown Action Council's first "Legislative Weekend" honoring State officials, State Legislators, their wives and guests.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to each one of them and the Downtown Action Council of the Gadsden Chamber of Commerce.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. R. 196, on the Clerk's desk for one legislative day.

Also:

By Messrs. Chesnut and Porter:

H. J. R. 197. MOURNING THE DEATH OF THOMAS W. BRADFORD.

WHEREAS, Thomas W. Bradford, age 89, of Centre, passed away recently; and

WHEREAS, Thomas W. Bradford was the son of Thomas W. and Louisa Willis Bradford, pioneer citizens of Cherokee County and the State of Alabama; and

WHEREAS, Thomas W. Bradford was the owner of Bradford-Cobb Insurance Agency; and

WHEREAS, Thomas W. Bradford was a member of Centre First United Methodist Church and served on the administrative board. He was a former trustee of the church and was a member of the Men's Adult Sunday School class; and

WHEREAS, Thomas W. Bradford was a former member of the Alabama State Legislature where, as a member of the Alabama State Senate, he sponsored the Bradford Act which established the State Labor Department; and

WHEREAS, Thomas W. Bradford served for 26 years as Cherokee County Register in Chancery; and

WHEREAS, Thomas W. Bradford was a former member and chairman of the Cherokee County Democratic Executive Committee serving for 24 years. He was also a former member of the Alabama Democratic Executive Committee; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body does mourn the pass-

ing of Thomas W. Bradford, and does send sincere condolences to the surviving members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 197, on the Clerk's desk for one legislative day.

SPECIAL ORDER RESUMED

And the bill:

H. 990. (With Amendment): To amend Section 6 of an Act entitled "An Act to prohibit the giving of worthless checks, drafts or other written orders for money; to give definition of certain words and phrases; to provide a penalty for violation; and to repeal all laws in conflict, especially Title 14, Sections 234 (8), Code of Alabama Recompiled 1958," approved October 1, 1971.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 990, Section 1, wherein same amends Section 6 of the Act referred to in the short title of said bill, to read as follows:

"Section 6. It shall be unlawful for any person or employer to obtain anything of value, with intent to defraud, by means of a check drawn on any depository knowing at the time of the drawing of such check that the maker, drawer, or payer thereof does not have sufficient funds or deposit in or enough credit with the depository for the payment in full of such check and all other checks then outstanding. The court, or jury trying the issue, unless the property has been returned or the value thereof paid to the owner, may assess the value of each article, and such assessed value may be made an item of costs in the case, to be paid in like manner as other costs taxed against the defendant and, in such event, the clerk of the court shall issue a certificate to the owner of the property for the value of such property as assessed by the court or jury, provided, that the amount of such assessed value must not be included in any bill of costs paid by the state, or for which the defendant is sentenced to hard labor."

And the amendment was adopted.

Yeas 80; Nays 2.

Yeas:

Mr. Speaker

Adams
Adwell
Agee
Bank
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Brassell

Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Connell
Coshatt
Cottingham
Cross
Culver

Dill
Doss
Downing
Edwards
Ellis
Erdreich
Falkenburg
Fite
Goodwin
Grainger
Grey (D)
Hale

Harris
Headley
Hearn
Hobbie
Hughes
Jackson
Jones (F)
King
Lang
Lutz
McCluskey
McCorquodale

REGULAR SESSION
29th Day

3515

McDonald	Owens	St. John	Turner
McMillan	Parker	Slate	Turnham
Manley	Perloff	Smith (K)	Waggoner
May	Porter	Snell	Waldrop
Meeks	Pruitt	Stokes	Warren
Merrill	Reid (R)	Stubbs	Williams
Narmore	Reynolds	Therrell	Wise
Nettles	Roberts	Timmons	Wynot

—80

Nays: Messrs. Flippo and Hill.

—2

Mr. Headley offered the following amendment to the bill, H. 990 as amended:

Amend H. B. 990, Line 11 by inserting the following between the words "check" and "that":

"or if such check be post-dated"

And the amendment was adopted.

Yeas 77; Nays 6.

Yeas:

Mr. Speaker	Doss	King	Reynolds
Adams	Downing	Lang	Roberts
Adwell	Drake	Lutz	St. John
Agee	Edwards	McCluskey	Smith (K)
Bank	Ellis	McDonald	Snell
Barkett	Erdreich	McMillan	Stokes
Barron	Falkenburg	Manley	Stubbs
Benton	Flippo	Mathews	Taylor
Boutwell	Gafford	May	Timmons
Bowers	Goodwin	Meeks	Turner
Brassell	Grainger	Merrill	Turnham
Callahan	Grey (D)	Narmore	Waggoner
Carnes	Hale	Nettles	Waldrop
Chesnut	Headley	O'Daniel	Wallace
Connell	Hearn	Owens	Warren
Coshatt	Hill	Porter	Williams
Cottingham	Hobbie	Pruitt	Wise
Cross	Hughes	Reed (T)	Wood
Culver	Jackson	Reid (R)	Wynot
Dill			

—77

Nays:

Messrs.:	Cauthen	Perloff	Stewart
Carter	Hardin	Slate	

—6

MOTION TO ADJOURN LOST

The motion of Mr. Smith (P) that the House adjourn until 11:00 o'clock a.m., Thursday, August 16, 1973, was lost.

Yeas 23; Nays 59.

Yeas:

Mr. Speaker	Collins	Fite	Hearn
Bassett	Dill	Goodwin	Lutz
Bowers	Downing	Hardin	McCorquodale

29th Day

McDonald	O'Daniel	St. John	Therrell	
Mathews	Perloff	Smith (K)	Wood	
May	Reynolds	Stokes		—23

Nays:

Messrs.:	Connell	Grey (D)	Nettles	
Adams	Coshatt	Hale	Porter	
Adwell	Cottingham	Headley	Roberts	
Agee	Crawford	Hill	Robertson	
Barkett	Cross	Hobbie	Slate	
Barron	Culver	Hughes	Snell	
Benton	Doss	Jackson	Stewart	
Boutwell	Drake	Jones (F)	Stubbs	
Brassell	Edwards	King	Taylor	
Burgess	Ellis	Kinsey	Turner	
Carnes	Erdreich	McCluskey	Waggoner	
Carter	Falkenburg	McMillan	Waldrop	
Casey	Flippo	McNair	Warren	
Cauthen	Gafford	Merrill	Wise	
Chesnut	Grainger	Naramore	Wynot	—59

H. 990 RESUMED

And the bill, H. 990 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 20.

Yeas:

Messrs.:	Connell	Grey (D)	Meeks	
Adams	Coshatt	Hale	Merrill	
Agee	Cottingham	Headley	Naramore	
Bank	Crawford	Hearn	O'Daniel	
Barkett	Cross	Hobbie	Parker	
Bassett	Culver	Hughes	Smith (K)	
Boles	Dill	Jackson	Snell	
Boutwell	Edwards	McCorquodale	Turner	
Brassell	Ellis	McDonald	Turnham	
Burgess	Fite	McMillan	Wallace	
Carnes	Goodwin	Mathews	Williams	
Chesnut	Grainger	May	Wise	—47

Nays:

Messrs.:	Jones (F)	Nettles	Stokes	
Barron	Kinsey	Perloff	Stubbs	
Bowers	Lutz	Porter	Taylor	
Carter	McCluskey	Slate	Therrell	
Cauthen	McNair	Stewart	Wood	
Erdreich				—20

And the bill:

H. 289. (With Amendment): To make an appropriation from funds in the State Treasury to the credit of the General Fund for the purpose of constructing and equipping a building to house a livestock and poultry disease

REGULAR SESSION

3517

29th Day

diagnostic laboratory and an agricultural chemistry laboratory at Auburn, Alabama for use by the Department of Agriculture and Industries.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend H. B. 289 by striking therefrom in Section 3 thereof the figures 1973 and inserting in lieu thereof the figures 1974.

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reed (T)
Adams	Cross	Hughes	Reynolds
Adwell	Dill	Jackson	Slate
Agee	Doss	Jones (F)	Smith (K)
Bank	Downing	King	Smith (P)
Barkett	Drake	Kinsey	Snell
Barron	Edwards	Lutz	Stokes
Bassett	Ellis	McCluskey	Stubbs
Benton	Erdreich	McCorquodale	Taylor
Boutwell	Falkenburg	McDonald	Timmons
Bowers	Fite	McMillan	Turner
Brassell	Gafford	McNair	Turnham
Burgess	Goodwin	Mathews	Waggoner
Carnes	Grainger	May	Waldrop
Carter	Gray (F)	Meeks	Wallace
Cauthen	Grey (D)	Merrill	Weeks
Chesnut	Hale	Nettles	Williams
Collins	Hardin	O'Daniel	Wise
Connell	Harris	Parker	Wood
Coshatt	Headley	Porter	Wynot
Cottingham	Hill	Pruitt	

—83

And the bill, H. 289 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Carter	Falkenburg	Jackson
Adams	Cauthen	Fite	Jones (F)
Adwell	Chesnut	Flippo	King
Agee	Connell	Gafford	Kinsey
Bank	Coshatt	Goodwin	Lutz
Barkett	Cottingham	Grainger	McCluskey
Barron	Cross	Gray (F)	McCorquodale
Bassett	Dill	Grey (D)	McDonald
Benton	Doss	Hale	McMillan
Boles	Downing	Hardin	McNair
Boutwell	Drake	Harris	Manley
Bowers	Easters	Headley	Mathews
Brassell	Edwards	Hill	May
Burgess	Ellis	Hobbie	Meeks
Carnes	Erdreich	Hughes	Merrill

Naramore	Reynolds	Stubbs	Waldrop
Nettles	Robertson	Taylor	Wallace
O'Daniel	Slate	Timmons	Williams
Parker	Smith (K)	Turner	Wise
Porter	Smith (P)	Turnham	Wood
Pruitt	Snell	Waggoner	Wynot
Reed (T)			

—85

And the bill:

H. 1502. To amend Sections 195 and 199 of Title 2, Code of Alabama of 1940, which relate to the testing of milk or cream for butterfat content or quantity and the testing methods, equipment, devices and containers used for such testing.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Doss	Hughes	Pruitt
Adams	Downing	Jackson	Reed (T)
Agee	Drake	Jones (F)	Reynolds
Barkett	Easters	King	Robertson
Barron	Edwards	Kinsey	Smith (K)
Bassett	Ellis	Lutz	Smith (P)
Benton	Erdreich	McCluskey	Snell
Boles	Falkenburg	McCorquodale	Stubbs
Boutwell	Fite	McDonald	Taylor
Bowers	Flippo	McMillan	Timmons
Brassell	Gafford	McNair	Turner
Burgess	Goodwin	Mathews	Turnham
Carnes	Grainger	May	Waggoner
Carter	Grey (D)	Meeks	Waldrop
Cauthen	Hale	Merrill	Wallace
Chesnut	Hardin	Naramore	Weeks
Coshatt	Harris	Nettles	Williams
Cottingham	Headley	O'Daniel	Wise
Cross	Hill	Parker	Wood
Dill	Hobbie	Porter	Wynot

—80

And the bill:

H. 1670. To designate The Annie Lee Cherry Gymnasium at the George C. Wallace State Technical Junior College.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bassett	Carnes	Connell
Adams	Benton	Carter	Cottingham
Adwell	Boutwell	Casey	Crawford
Agee	Bowers	Cauthen	Cross
Barkett	Brassell	Chesnut	Dill
Barron	Burgess	Collins	Doss

REGULAR SESSION
29th Day

3519

Downing	Hill	Mathews	Stewart
Drake	Hobbie	May	Stubbs
Easters	Hughes	Meeks	Taylor
Edwards	Jackson	Merrill	Therrell
Erdreich	Jones (F)	Naramore	Timmons
Fite	King	Parker	Turner
Flippo	Kinsey	Porter	Turnham
Gafford	Lutz	Pruitt	Waggoner
Goodwin	McCluskey	Reed (T)	Waldrop
Grainger	McCorquodale	Reynolds	Wallace
Grey (D)	McDonald	Robertson	Weeks
Hale	McMillan	Smith (K)	Williams
Hardin	McNair	Smith (P)	Wise
Harris	Manley	Snell	Wood
Headley			

—81

UNANIMOUS CONSENT GRANTED

At the request of Mr. Barkett, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1670.

And the bill:

H. 189. (With Amendment): Relating to emergency medical services in hospitals; authorizing the state board of health to establish, promulgate and enforce rules, regulations and minimum standards for the operation of emergency departments in hospitals of this state and to provide for the categorization of hospitals according to the capabilities of such departments; requiring the state highway department to denote on all official highway maps and by the erection of highway markers the location of certain designated hospitals.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Health, said Committee amendment being as follows:

Amend H. B. 189 by adding the following in Section 1, third line after the word health, "with the advice and approval of the hospital licensure advisory board"

And the amendment was adopted.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Carnes	Erdreich	Hughes
Adams	Carter	Falkenburg	Jackson
Adwell	Casey	Fite	Jones (F)
Agee	Cauthen	Flippo	King
Bank	Chesnut	Gafford	Kinsey
Barkett	Cottingham	Goodwin	Lutz
Barron	Cross	Grainger	McCluskey
Bassett	Dill	Grey (D)	McCorquodale
Benton	Doss	Hale	McDonald
Boles	Downing	Hardin	McMillan
Boutwell	Drake	Harris	McNair
Bowers	Easters	Headley	Manley
Brassell	Edwards	Hill	Mathews
Burgess	Ellis	Hobbie	May

Meeks	Pruitt	Stubbs	Waggoner
Merrill	Reed (T)	Taylor	Waldrop
Naramore	Reynolds	Therrell	Wallace
Nettles	Robertson	Timmons	Weeks
O'Daniel	Smith (K)	Turner	Williams
Parker	Stewart	Turnham	Wise
Porter			

—81

Nay: Mr. Wood.

—1

And the bill, H. 189 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 2.

Yeas:

Mr. Speaker	Cross	Hobbie	Porter
Adams	Culver	Hughes	Pruitt
Adwell	Dill	Jackson	Reed (T)
Agee	Doss	Jones (F)	Reynolds
Barkett	Downing	King	Robertson
Barron	Drake	Kinsey	St. John
Bassett	Easters	Lutz	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stubbs
Bowers	Falkenburg	McNair	Taylor
Brassell	Fite	Manley	Timmons
Burgess	Flippo	Mathews	Turner
Carnes	Gafford	May	Turnham
Carter	Goodwin	Meeks	Waggoner
Casey	Grainger	Merrill	Waldrop
Cauthen	Grey (D)	Naramore	Wallace
Chesnut	Hale	Nettles	Weeks
Collins	Hardin	O'Daniel	Williams
Connell	Harris	Parker	Wise
Coshatt	Headley	Perloff	Wynot
Cottingham	Hill		

—86

Nays: Messrs. McCluskey and Wood.

—2

And the bill:

H. 569. To provide for the appointment, duties and compensation of four additional Deputy District Attorneys in judicial circuits composed of one county having a population of 600,000 or more according to the last or any subsequent federal decennial census and to provide when said Act shall go into effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Barron	Bowers	Chesnut
Adams	Bassett	Brassell	Collins
Adwell	Benton	Carnes	Connell
Agee	Boles	Carter	Coshatt
Barkett	Boutwell	Casey	Cottingham

REGULAR SESSION
29th Day

3521

Cross	Grey (D)	Manley	Smith (P)
Culver	Hale	Mathews	Snell
Dill	Harris	May	Stubbs
Doss	Headley	Meeks	Taylor
Downing	Hill	Merrill	Therrell
Drake	Hobbie	Naramore	Timmons
Easters	Hughes	Nettles	Turner
Edwards	Jackson	O'Daniel	Turnham
Ellis	Jones (F)	Owens	Waggoner
Erdreich	King	Parker	Waldrop
Falkenburg	Kinsey	Perloff	Wallace
Fite	Lutz	Porter	Warren
Flippo	McCluskey	Pruitt	Weeks
Gafford	McCorquodale	Reed (T)	Williams
Goodwin	McDonald	Reynolds	Wise
Grainger	McMillan	Robertson	Wood
Gray (F)	McNair	Slate	Wynot

—88

And the bill:

H. 421. (With Amendment): To fix the annual compensation of the chief justice of the supreme court, associate justices of the supreme court, judges of the courts of appeal, and circuit court judges.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 1 of House Bill 421 as follows:

"Section 1. Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court, is further amended to read as follows:

"Section 29. The salary of the chief justice of the supreme court shall be thirty-three thousand five hundred dollars (\$33,500) annually and the salary of every associate justice of the supreme court shall be thirty-three thousand five hundred dollars (\$33,500) annually, payable in equal semi-monthly installments as the salaries of other state officers are paid."

Amend Section 2 of House Bill 421 as follows:

"Section 2. Section 111 (18), Title 13, Code of Alabama 1940, as amended, relating to the salary of each judge on the court of appeals, is further amended to read as follows:

"Section 111 (18). The salary of each judge on each court of appeals shall be an annual amount of thirty-three thousand dollars (\$33,000) annually, payable in equal semi-monthly installments as the salaries of other state officers are paid."

Amend Section 3 of House Bill 421 as follows:

At the end of Section 3, after ". . . in equal semi-monthly installments.", add the following: "This section shall not affect the compensation paid to any circuit judge by any county."

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Culver	Jackson	Reed (T)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Robertson
Barkett	Downing	Kinsey	St. John
Barron	Drake	Lutz	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stubbs
Bowers	Falkenburg	McNair	Taylor
Brassell	Fite	Manley	Timmons
Burgess	Flippo	Mathews	Turner
Carnes	Gafford	May	Turnham
Carter	Goodwin	Meeks	Waggoner
Casey	Grainger	Merrill	Waldrop
Cauthen	Grey (D)	Naramore	Wallace
Chesnut	Hale	Nettles	Warren
Collins	Hardin	Owens	Weeks
Connell	Harris	Parker	Williams
Coshatt	Hill	Perloff	Wood
Cottingham	Hobbie	Porter	Wynot

—88

And the bill, H. 421 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Porter
Adams	Culver	Jackson	Pruitt
Adwell	Dill	Jones (F)	Reed (T)
Agee	Doss	King	Reynolds
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McCluskey	Slate
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Taylor
Boutwell	Erdreich	McMillan	Therrell
Bowers	Falkenburg	McNair	Timmons
Brassell	Fite	Manley	Turner
Callahan	Flippo	Mathews	Turnham
Carnes	Gafford	May	Waggoner
Carter	Goodwin	Meeks	Waldrop
Casey	Grainger	Merrill	Wallace
Cauthen	Gray (F)	Naramore	Warren
Chesnut	Grey (D)	Nettles	Weeks
Collins	Hale	O'Daniel	Williams
Connell	Harris	Owens	Wise
Coshatt	Hill	Parker	Wood
Cottingham	Hobbie	Perloff	Wynot
Cross			

—89

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Downing, the rules were suspended in order to bring up out of order the bill, S. 131.

REGULAR SESSION
29th Day

3523

Yeas 67; Nays 1.

Yeas:

Mr. Speaker	Culver	Lutz	Robertson
Agee	Dill	McCluskey	Slate
Bank	Doss	McCorquodale	Smith (P)
Barkett	Downing	McDonald	Stokes
Barron	Easters	McMillan	Stubbs
Benton	Edwards	McNair	Taylor
Boles	Ellis	Manley	Therrell
Boutwell	Erdreich	May	Timmons
Bowers	Fite	Merrill	Turner
Brassell	Flippo	Naramore	Turnham
Carnes	Goodwin	Nettles	Waggoner
Casey	Grainger	Owens	Wallace
Chesnut	Grey (D)	Parker	Warren
Connell	Harris	Perloff	Weeks
Coshatt	Hill	Pruitt	Wood
Cottingham	Jones (F)	Reed (T)	Wynot
Crowe	Kinsey	Reynolds	

—67

Nay: Mr. Jackson.

—1

And the bill:

S. 131. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation.

Was read a third time at length and passed.

Yeas 79; Nays 6.

Yeas:

Mr. Speaker	Dill	Jones (F)	Robertson
Adwell	Downing	King	St. John
Agee	Drake	Kinsey	Smith (P)
Bank	Easters	Lutz	Snell
Barron	Edwards	McCluskey	Stokes
Bassett	Ellis	McDonald	Stubbs
Benton	Erdreich	McMillan	Taylor
Boles	Falkenburg	McNair	Therrell
Boutwell	Fite	Manley	Timmons
Bowers	Flippo	Mathews	Turner
Brassell	Gafford	May	Turnham
Carnes	Grainger	Meeks	Waggoner
Carter	Gray (F)	Merrill	Waldrop
Casey	Grey (D)	Naramore	Wallace
Chesnut	Hale	Nettles	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Perloff	Williams
Cottingham	Hill	Porter	Wood
Crowe	Hughes	Pruitt	Wynot
Culver	Jackson	Reed (T)	

—79

Nays:

Messrs.:	Burgess	Hardin	Smith (K)
Barkett	Cross	Hobbie	

—6

SPECIAL ORDER RESUMED

And the bill:

H. 374. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation.

Was taken up.

H. 374 POSTPONED

On motion of Mr. Downing, the bill, H. 374, was indefinitely postponed.

And the bill:

H. 1384. (With Amendment): To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 1384 by adding at the end of Section 1 the following:
"and members of the Legislature."

And the amendment was adopted.

Yeas 52; Nays 19.

Yeas:

Messrs.:	Burgess	Crowe	Grainger
Adams	Carter	Culver	Grey (D)
Agee	Casey	Dill	Hardin
Bank	Cauthen	Downing	Hill
Barron	Chesnut	Easters	Jackson
Bassett	Coshatt	Ellis	Jones (F)
Benton	Cottingham	Falkenburg	King
Brassell	Cross	Flippo	Lutz

REGULAR SESSION
29th Day

3525

McCluskey	Merrill	Porter	Snell
McDonald	Naramore	Reed (T)	Stokes
McMillan	O'Daniel	Robertson	Therrell
McNair	Parker	Smith (K)	Turnham
Mathews	Perloff	Smith (P)	Waggoner
Meeks			—52

Nays:

Mr. Speaker	Fite	Owens	Turner
Boles	Goodwin	Reid (R)	Waldrop
Boutwell	Headley	Reynolds	Wallace
Carnes	Hughes	Stubbs	Wynot
Erdreich	McCorquodale	Timmons	—19

MOTION TO ADJOURN LOST

The motion offered by Mr. Wood that the House adjourn until 12:00 o'clock noon, Thursday, August 16, 1973, was lost.

Yeas 28; Nays 48.

Yeas:

Mr. Speaker	Fite	May	Reynolds
Agee	Goodwin	Meeks	Robertson
Bank	Hardin	Merrill	Smith (K)
Bassett	Lutz	Naramore	Smith (P)
Boles	McCorquodale	O'Daniel	Stokes
Brassell	McDonald	Parker	Therrell
Downing	Mathews	Perloff	Wood
			—28

Nays:

Messrs.:	Cross	Headley	St. John
Adams	Crowe	Hill	Snell
Adwell	Culver	Hobbie	Stubbs
Barron	Dill	Hughes	Timmons
Benton	Doss	Jackson	Turner
Boutwell	Drake	King	Turnham
Burgess	Edwards	Kinsey	Waggoner
Carnes	Erdreich	McMillan	Waldrop
Carter	Falkenburg	McNair	Warren
Cauthen	Flippo	Manley	Weeks
Chesnut	Grainger	Nettles	Wise
Coshatt	Hale	Porter	Wynot
Cottingham			—48

H. 1384 RESUMED

Mr. Cauthen offered the following amendment #1 to the bill, H. 1384 as amended:

Amend Section 5 of H. B. 1384 to read as follows:

"Section 5. The Commission shall furnish, as herein provided, a written report of the results and determinations of each study conducted by the Commission of the individual officers, offices and positions covered by this act at least thirty (30) days in advance of a regular session or special session of the Legislature and shall file a report on the first day of said session with the Clerk of the House of Representatives and the Secretary of the Senate,

except as otherwise provided herein. The said determinations made by the Commission as to the amount of the salary or compensation as to the individual officers, justices, judges, offices or positions shall be effective at the beginning of the pay period which shall begin following the date of October 1st next following the date of the adoption of such report by the Legislature and its becoming law. However, the first report of the Commission shall be filed on or before December 31, 1973 with the Clerk of the House of Representatives and the Secretary of the Senate and copies thereof furnished to offices of officials who normally receive copies of the same. The provisions of the report of the Commission are severable and are advisory only. If any such salary or compensation is altered or rejected by an Act of the Legislature, or should any salary, compensation or act of the Commission or any provision or portion of the report of the Commission be declared invalid or unconstitutional, such alteration, rejection or declaration shall not affect the salaries or compensation of other officers, justices, judges, offices or positions or the parts of the report which remain unamended. The Commission shall report on the salary or compensation of all officers, justices, judges, offices or positions about which it has responsibilities.

A copy of any report of said Commission shall be furnished to the offices of the Governor, Chief Justice of the Supreme Court the Lt. Governor, the Speaker of the House of Representatives, Secretary of State, Director, Department of Finance, and the State Comptroller and to each member of the Legislature. Should any one or more of the offices in which a copy of said report is to be furnished be vacant, then it is not necessary to furnish a copy to such office or offices. On the copy of each report furnished to the office of the Secretary of State there should be a certificate reciting that copies of such report have been furnished to the other offices.

And the amendment was adopted.

Yeas 60; Nays 0.

Yeas:

Messrs.:	Downing	Headley	Owens
Adams	Drake	Hill	Parker
Agee	Easters	Hughes	Porter
Barron	Edwards	Jones (F)	Reed (T)
Bassett	Ellis	King	Robertson
Boutwell	Erdreich	Lutz	St. John
Brassell	Falkenburg	McCluskey	Smith (K)
Burgess	Fite	McCorquodale	Smith (P)
Carnes	Flippo	McDonald	Snell
Carter	Goodwin	McMillan	Stubbs
Cauthen	Grainger	McNair	Waggoner
Chesnut	Grey (D)	Manley	Waldrop
Coshatt	Hale	Meeks	Wallace
Cross	Hardin	Naramore	Warren
Culver	Harris	Nettles	Wood
Dill			

—60

Mr. Cauthen offered the following amendment #2 to the bill, H. 1384 as amended:

Amend H. B. 1384 by striking therefrom the words "fifty dollars" and by substituting in lieu thereof the words "twenty five dollars" (\$25.00)

And the amendment was adopted.

REGULAR SESSION
29th Day

3527

Yeas 63; Nays 4.

Yeas:

Mr. Speaker	Downing	Hughes	Parker
Adwell	Drake	Jackson	Porter
Agee	Easters	Jones (F)	Reed (T)
Barron	Edwards	King	Reid (R)
Bassett	Ellis	Kinsey	Robertson
Benton	Erdreich	McCluskey	Smith (K)
Boutwell	Falkenburg	McCorquodale	Smith (P)
Brassell	Flippo	McDonald	Stokes
Burgess	Grainger	McMillan	Stubbs
Carter	Grey (D)	McNair	Timmons
Cauthen	Hale	Manley	Waldrop
Chesnut	Hardin	May	Wallace
Coshatt	Harris	Merrill	Warren
Cross	Headley	Naramore	Wood
Culver	Hill	Nettles	Wynot
Dill	Hobbie	Owens	

—63

Nays:

Messrs.:	Cottingham	Lutz	Taylor
Carnes			

—4

Mr. Cauthen offered the following amendment #3 to the bill, H. 1384 as amended:

In Section 1 of the bill, strike the following words in the last line of the first paragraph: "and Superintendent of Insurance."

Insert in lieu thereof the following:

Superintendent of Insurance; and Adjutant General.

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Reed (T)
Adwell	Drake	Lutz	Reid (R)
Agee	Easters	McCluskey	Reynolds
Barron	Edwards	McDonald	Robertson
Bassett	Ellis	McMillan	Smith (K)
Boles	Erdreich	McNair	Smith (P)
Boutwell	Falkenburg	Manley	Stokes
Brassell	Fite	May	Timmons
Burgess	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Naramore	Waggoner
Casey	Hardin	Nettles	Wallace
Cauthen	Harris	O'Daniel	Warren
Chesnut	Hobbie	Owens	Williams
Cottingham	Hughes	Parker	Wood
Culver	Jones (F)	Porter	Wynot
Dill			

—65

And the bill, H. 1384 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 15.

Yeas:

Messrs.:	Cross	Harris	Perloff
Agee	Culver	Hill	Porter
Barron	Dill	Hughes	Reed (T)
Bassett	Downing	Jackson	Reid (R)
Boutwell	Drake	Jones (F)	Smith (K)
Brassell	Easters	King	Smith (P)
Burgess	Edwards	Kinsey	Stokes
Callahan	Ellis	Lutz	Therrell
Carter	Erdreich	McCluskey	Turner
Casey	Falkenburg	McDonald	Turnham
Cauthen	Flippo	McMillan	Waggoner
Chesnut	Grainger	McNair	Waldrop
Collins	Grey (D)	Meeks	Warren
Coshatt	Hale	Merrill	Wise
Cottingham	Hardin	Parker	Wood

—59

Nays:

Mr. Speaker	Doss	Manley	Stubbs
Adwell	Fite	Naramore	Timmons
Boles	Goodwin	Owens	Williams
Carnes	McCorquodale	Robertson	

—15

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. St. John to suspend the rules in order to bring up out of order the bill, S. 169, was lost, lacking a four-fifths vote.

Yeas 39; Nays 28.

Yeas:

Messrs.:	Easters	Hughes	Reynolds
Boutwell	Ellis	King	St. John
Brassell	Erdreich	Lutz	Taylor
Carnes	Fite	McDonald	Turnham
Carter	Goodwin	McMillan	Waggoner
Chesnut	Grainger	McNair	Waldrop
Coshatt	Hale	Meeks	Wallace
Doss	Harris	Nettles	Williams
Downing	Hill	Parker	Wood
Drake	Hobbie	Porter	Wynot

—39

Nays:

Mr. Speaker	Casey	Jackson	Smith (K)
Adams	Cottingham	McCluskey	Smith (P)
Adwell	Dill	Mathews	Snell
Agee	Edwards	Merrill	Stokes
Barron	Grey (D)	Naramore	Stubbs
Bassett	Hardin	O'Daniel	Turner
Burgess	Headley	Robertson	Warren

—28

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. St. John moved to reconsider the vote by which the resolution, H. R. 190 as amended, was adopted, and the motion was adopted.

REGULAR SESSION
29th Day

3529

And the resolution, H. R. 190 as amended, was again taken up.

Mr. St. John offered the following amendment to the resolution, H. R. 190 as amended:

Be It Resolved that the special, paramount and continuing order of business on the 30th legislative day heretofore adopted by the House follow the unfinished business of the 29th legislative day.

And the amendment was adopted.

And the resolution, H. R. 190:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business on the 30th Legislative Day, taking precedence over any other business of the House:

UNCONTESTED LOCAL BILLS

H. B.	1467	Page	65	Boat Registration
H. B.	286	Page	94	Perdiem for State Officers
H. B.	985	Page	95	Taxation Exemptions
H. B.	485	Page	96	Police Retirement
H. B.	315	Page	103	Medical Services by Chiropractors
H. B.	285	Page	14	Authorizes cities to provide buildings & facilities to be used by organizations
H. B.	339	Page	92	Department of Agriculture
H. B.	142	Page	25	Duties for School Principals
H. B.	265	Page	60	Group Insurance for School Board Employees
H. B.	1349	Page	89	Income Tax Exemptions
H. B.	1334	Page	51	Scholarships for study of Dentistry
H. B.	1335	Page	51	Scholarships for Medical Education
H. B.	1435	Page	96	Ad Valorem Tax Exemptions
H. B.	216	Page	60	Employees Retirement System
H. B.	1530	Page	84	Privilege Tax Against Persons Engaged in Leasing & Renting Property
H. B.	851	Page	66	Firefighting Vehicles
H. B.	834	Page	106	Firefighters & FOP
H. B.	46	Page	133	Tax Assessor-Each County estimate all real & personal property for ad valorem tax
H. B.	167	Page	82	Electronic Voting
H. B.	439	Page	77	Refund of Security Deposits
H. B.	1307	Page	70	State Board of Health
H. B.	1284	Page	66	Deputy Sheriff—Uniform Compensation
H. B.	1250	Page	67	Public Corporation to merge with public utilities
H. B.	1623	Page	114	Rainbow Trout—Game Fish
H. B.	1699	Page	115	Parks Leasings

H. B. 100	Page 35	Public Service Commission Appeals
H. B. 1401	Page 88	Supernumerary Tax Assessor, Collectors & License Commissioners
H. B. 1171	Page 54	Standards for Firefighters
H. B. 1262	Page 44	Governor's Advisory Committee
H. B. 1022	Page 63	Community Service Agency
H. B. 311	Page 31	Water Sewer & Fire Protection Districts
H. B. 295	Page 103	Teachers—Exempting from Institute
H. B. 1202	Page 76	Interstate Mental Health Compact
H. B. 832	Page 21	Amends Cater Act
H. B. 833	Page 21	Amends Cater Act
H. B. 1299	Page 62	Local Option
H. B. 1425	Page 101	Deputy District Attorneys
H. B. 1404	Page 114	Constitution Park Transfer
H. B. 357	Page 7	Regulates Fresh Water Fishing
H. B. 3	Page 101	Sales & Use Tax Exemptions
H. B. 4	Page 57	Sales & Use Tax Exemptions
H. B. 1037	Page 30	Social Workers—Status
H. B. 213	Page 26	City & County Boards of Education
H. B. 214	Page 26	City & County Boards of Education
H. B. 632	Page 18	State Geological Study
H. B. 622	Page 18	State Income Tax Exemptions—Retired Military
H. B. 672	Page 11	Podiatrists
H. B. 1319	Page 95	Railroads
H. B. 1515	Page 121	Bonds for Tax Collectors
H. B. 1087	Page 87	Southern Growth Policies Agreement
H. B. 1126	Page 37	Conservation Dept.—Protection of Wildlife
H. B. 343	Page 16	Rules of the Road
H. B. 1792	Page 117	Compensation for Clerk of House & Sec. of Senate
H. B. 1154	Page 64	Scholarships for Survivors of Disabled Vets
H. B. 376	Page 64	Nursing Certification
H. B. 1409	Page 68	Local Water Systems
H. B. 1447	Page 68	Aircraft Museum
H. B. 1338	Page 69	Aircraft Museum
H. B. 1912	Page 142	Law Center—University of Alabama
H. B. 1590	Page 72	Utility Reimbursement
H. B. 11	Page 104	Helicopter Ambulance
H. B. 1218	Page 57	Family Planning Service
H. B. 992	Page 28	Purchases Made by Colleges Jointly
H. B. 210	Page 116	County Engineer Qualifications
H. B. 857	Page 67	Area Planning Boards
H. B. 1227	Page 44	Voting Machines—Printouts

REGULAR SESSION
30th Day

3531

H. B. 1613 Page 76 Marine Environmental Sciences Consortium
H. B. 448 Page 55 Teacher Retirement for Custodians & Janitors
As thus amended, was adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:05 P.M. on August 14, 1973.

H. 322.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. St. John, the House adjourned until 12:00 o'clock noon, Thursday, August 16, 1973.

THIRTIETH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 16, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Vern Anderson, Pastor, Fundamental Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the role of the House the following members answered to their names:

Mr. Speaker	Burgess	Crowe	Goodwin
Adams	Callahan	Culver	Grainger
Adwell	Carnes	Doss	Grey (D)
Agee	Carter	Downing	Hale
Bank	Casey	Drake	Hardin
Barkett	Cauthen	Easters	Harris
Barron	Chesnut	Edwards	Headley
Bassett	Collins	Ellis	Hearn
Benton	Connell	Erdreich	Hill
Boles	Coshatt	Falkenburg	Hobbie
Boutwell	Cottingham	Fite	Hughes
Bowers	Crawford	Flippo	Jackson
Brassell	Cross	Gafford	Jones (F)

King	Meeks	Reynolds	Timmons
Kinsey	Merrill	Roberts	Turner
Lang	Mims	Robertson	Turnham
Lutz	Naramore	St. John	Waggoner
McBride	Nettles	Slate	Waldrop
McCluskey	O'Daniel	Smith (K)	Wallace
McCorquodale	Owens	Smith (P)	Warren
McDonald	Parker	Snell	Weeks
McMillan	Perloff	Stewart	Williams
McNair	Porter	Stokes	Wise
Manley	Pruitt	Stubbs	Wood
Mathews	Reed (T)	Taylor	Wynot
May	Reid (R)	Therrell	

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-ninth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twenty-ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-ninth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

H. J. R. 189. CONTINUING WORK OF FIRE ANT STUDY COMMISSION ESTABLISHED BY H. J. R. 75, ACT NO. 264, THIRD SPECIAL SESSION OF THE 1971 LEGISLATURE.

Also:

H. J. R. 193. TO DESIGNATE U.S. HIGHWAY 90 FROM BATTLESHIP PARKWAY TO MISSISSIPPI LINE AS HISTORIC MOBILE PARKWAY.

Also:

H. J. R. 195. NAMING THE TALLADEGA NATIONAL GUARD ARMORY FOR GENERAL LAURIS D. GRAVES.

Also:

H. J. R. 191. MEMORALIZING CONGRESS TO SUBMIT TO THE FIFTY STATES A PROPOSED CONSTITUTIONAL AMENDMENT TO REQUIRE THAT ALL FEDERAL JUDGES WHO ARE APPOINTED FOR LIFE MUST BE PERIODICALLY RECONFIRMED BY THE UNITED STATES SENATE.

And the resolutions were adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution, H. J. R. 178, and ordered same returned to the House with a favorable report:

H. J. R. 178. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO H. B. 1304.

H. J. R. 178 RECOMMITTED

On motion of Mr. Robertson to recommit, the Speaker recommitted the resolution, H. J. R. 178, to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

H. J. R. 122. Requesting that Act No. 335, 3rd Extraordinary Session 1971, approved February 10, 1972, be named the Hill Youthful Offender Act.

Also:

H. J. R. 150 CREATING A JOINT INTERIM COMMITTEE RELATIVE TO AMENDING THE PROBATE LAW OF ALABAMA.

And the resolutions were adopted.

LEAVES OF ABSENCE

At the request of Mr. Timmons, leave of absence was granted for Mr. Dill, due to illness.

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E), due to illness.

RESOLUTION

The following resolution was introduced:

By Messrs. Turner and Cottingham:

H. J. R. 198. CHANGING THE NAME OF VALLEY CREEK STATE PARK TO PAUL M. GRIST STATE PARK.

WHEREAS Paul M. Grist of Selma has exemplified the characteristics of Christian leadership in his unselfish devotion to others; and

WHEREAS Paul M. Grist has served as Y. M. C. A. Secretary for 45 years; and

WHEREAS Paul M. Grist built and directed Y. M. C. A. Camp McGee on Dallas County Lake which operated from 1923 to 1938; and

WHEREAS Paul M. Grist built Y. M. C. A. Camp Grist on Dallas County Lake in 1940; and

WHEREAS Paul M. Grist achieved pre-eminence in two of the most soul-satisfying areas granted to man: His service to, and imprint upon thou-

sands of American Youth, and his exemplification of "the teachings of Christianity"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the name of Valley Creek State Park on Dallas County Lake be changed to Paul M. Grist State Park in honor of Paul M. Grist and his life of unselfish devotion to the benefit of others.

The resolution, H. J. R. 198, was read and referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2105. To name the bridge on Alabama Highway 10 between Alabama and Georgia the Buddy Crawford Bridge.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 77. (With Amendment): To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 136. Prohibiting the larceny, removal, or abandonment of shopping carts from the premises of grocery stores and other merchant stores; and providing penalties therefor.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 661. (With Substitute): To require that all motor vehicles or trailers which receive damages due to bullets or other weapons, or any accident involving death or personal injury to any passengers, or any accident involving damage to the vehicle of any driver involved in any accident, shall be investigated by an officer of the Department of Public Safety or other law enforcement agency which is authorized to enforce motor vehicle laws in the county in which such accidents occur, and to affix a damage release sticker to such vehicles; to prohibit the repair of damaged vehicles that do not have such stickers; prescribing penalties for the violation of this act.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1758. To further provide for supernumerary district attorneys.

H. 2138. Relating to the thirtieth judicial circuit; providing for additional circuit court judge in such circuit.

Mr. Fite, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

S. 246. (With Amendments): To create and establish the Alabama State Board of Funeral Service; to establish rules and regulations; to provide for the licensing of funeral directors, embalmers and funeral establishments; to provide for the examination for licenses; and to set fees therefor; to establish qualifications of applicants for licenses; to establish procedure for election and terms of members of the board and to define powers and duties of the board; to provide penalties; and to repeal Title 46, Sections 121 through 128, Code of Alabama 1940, and all other conflicting laws.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1257. (With Substitute): To amend Section 120 of Act 407, H. B. 198, Regular Session, 1971, (Acts of Alabama, 1971, Volume II, Page 774) which regulates the licensing of insurance agents.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 387. To name the allied health building at John C. Calhoun Junior College after Mr. Barrett C. Shelton.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1539. (With Amendment): To create within the State Department of Education a division to be known as the Junior College Division; to divert the responsibility for the coordination, management, and control of public junior colleges now vested in the higher education branch of the division of vocational education to a separate division for junior colleges; to establish a position of Junior College Division Director; and to set standards of qualifications for persons to be considered for the position of Director.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1754. Relating to health facilities at institutions of higher learning; to provide for the publication and distribution of literature by the states' institutions of higher learning concerning health and first aid facilities, and directing the Highway Department to erect directional signs showing the location of such facilities.

H. 1757. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Department of Education to establish a special fund to be designated as the "Driver Education and Training Fund" for the express purpose of instituting and conducting a program of preclicensing driver education and training.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1887. To amend Section 10, Act No. 227, H. 2, Regular Session 1971 (Act 1971, p. 523), which Act authorizes and provides for the promotion of production, distribution, marketing, use, improvement and sale of soybeans.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1510. To provide for arbitration in order to settle disputes between policemen, firefighters and general classified employees and their public employers in any city having a population of 300,000 or more according to the most recent federal decennial census, specifically authorizing collective bargaining between policemen, firefighters and general classified employees and their public employers, and requiring compliance with collective bargaining agreements and findings of arbitrators.

H. 945. To provide for the exemption of those cities or towns within counties of 500,000 or more population from the provisions of Title 37 Section 733, Alabama Code 1940, with regard to cities or towns collecting businesses, trade, or professional licenses.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2128. Relating to all counties having a population of not less than 150,000 nor more than 180,000, according to the most recent federal decennial census; providing further for the salary of the sheriff.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1395. (With Amendment): To empower Municipal and/or Records Courts in municipalities having now or hereafter having a population of not less than 70,000 persons nor more than 180,000 according to the last or any subsequent federal census, to suspend sentences and/or grant probation under certain conditions.

H. 2161. (With Amendment): To amend Section 1 of Act No. 184, S. 123, 3rd Special Session 1971 (Acts 1971, p. 4445) which provides for staff

assistant for the Commissioner of Public Works and for the Commissioner of Public Affairs, in certain cities classified on a population basis, so as to prescribe their compensation.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1627. Relating to all counties having populations of not less than 150,000 nor more than 180,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 119. Relating to counties having populations of not less than 110,000 nor more than 150,000, according to the 1970 or any subsequent federal decennial census; providing further for extending the corporate limits and boundaries of incorporated municipalities in such counties.

S. 237. To provide for a system of self-indexing of all land transfer instruments recorded in probate offices in counties having a population of not less than 115,000 nor more than 150,000 persons according to the last or any subsequent Federal Decennial Census.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 238. (With Amendment): Relating to Tuscaloosa County, to amend further Section 7, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which act relates to the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa, Alabama, so as to change the percentage composition of the fund; and also to exclude overtime pay, bonuses, and similar type pay from the regular salary deductions which produce the revenue for the above mentioned fund.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

S. 277. (With Substitute): Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

S. 506. (With Substitute): To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 543. To create and establish offices of Deputy District Attorney No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit, and to provide for the appointment and for the duties and compensation of such offices.

H. 684. To amend Title 52, Section 63, Code of Alabama 1940, as amended, which relates to the membership on county boards of education, so as to change the population bracket in the proviso providing that not more than one classroom teacher may serve on said county board.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 685. (With Substitute): To amend Act No. 1434, S. 769, Regular Session 1971 (Acts 1971, p. 2459), an act relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the Civil Service Boards of such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 831. (With Amendment): Relating to Tuscaloosa County: Providing for the appointment of an assistant circuit clerk of the circuit court of Tuscaloosa County; prescribing the duties and authority of such clerk, fixing the compensation and providing for payment from the general funds of the county.

H. 1094. (With Amendment): Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

H. 1436. (With Amendment): To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having a population of not less than 115,000 nor more than 150,000, according

REGULAR SESSION
30th Day

3539

to the most recent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1593. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, so as to enumerate certain political activities which shall not preclude employment of any person coming under the provisions of any county civil service systems established in such counties.

H. 1618. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, providing further for the salaries of the tax collectors of such counties.

H. 1619. To provide an annual expense allowance for the circuit clerks of all counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, which expense allowances shall be effective only for the duration of the present terms of office of the circuit clerks of such counties.

H. 1620. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, providing further for the salaries of the tax assessors of such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1914. (With Amendment): To alter, rearrange and extend the boundary lines and corporate limits of the town of Maplesville, in Chilton County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2027. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

H. 2031. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of

funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

H. 2033. Relating to Choctaw County, Alabama; levying a privilege license or excise tax on certain sellers and distributors of spiritous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

H. 2034. Relating to the First Judicial Circuit; designating each county solicitor or assistant district attorney in each county composing the circuit as a deputy district attorney, and providing that all such deputy district attorneys shall be entitled to receive equal shares of any funds appropriated by the state for the compensation of deputy district attorneys.

H. 2035. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

H. 2036. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

H. 2037. Relating to counties having a population of not less than 16,000 nor more than 16,250 inhabitants, according to the most recent federal decennial census; to provide for the election of members of the county commission from specified districts.

H. 2041. Relating to counties having a population of not less than 39,500 and not more than 41,750 according to the most recent federal decennial census, providing an expense allowance for certain county officers.

H. 2042. Relating to any counties having a population of not less than 27,000 nor more than 27,900; authorizing the county commission to set an expense allowance for county officials.

H. 2043. Relating to Lawrence County, abolishing the fine and forfeiture fund of Lawrence County and providing that all monies now in the fine and forfeiture fund or hereafter collected for such fund shall be paid into the general fund of such county and that all claims due or to become due from the fine and forfeiture fund shall be paid from the general fund of the county; providing that witness certificates obtained as a state's witness before the grand jury or the circuit court, county court or other inferior court in which a criminal prosecution is pending shall be paid from the general fund on presentation; providing that all monies now held or hereafter collected as witness fees for state's witnesses in the circuit court, county court or other inferior court shall be paid on collection into the general fund of the county.

H. 2054. To provide clerical assistance for the Deputy District Attorney in counties having populations of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census; to repeal Act No. 197, H. 214, Special Session 1967 (Acts 1967, p. 243), as amended.

H. 2055. To provide an expense allowance for the Deputy District Attorney of Counties having a population of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census.

H. 2059. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

H. 2063. Relating to counties having populations of not less than 115,000 nor more than 150,000, according to the most recent federal decennial census; fixing the fees for issuance of pistol permits by the sheriff of such counties, and providing for the disposition and use of such fees.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 2069. (With Amendment): Relating to all counties having populations of not less than 11,500 nor more than 12,500 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2080. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

H. 2082. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in counties having populations of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census, and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

H. 2083. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of said commission board, and the time and manner of calling and holding an election therefor.

H. 2085. To amend Section 5 of Act No. 226, Acts of Alabama, 1959, as Amended.

H. 2086. To amend further Act No. 226, H. 588, Regular Session 1959, which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for retirement of such persons.

H. 2087. To amend further Section 4 of Act No. 671, H. 921, Regular Session, 1951 (Acts 1951, p. 1158) as amended, which provides for the appointment of a three member Civil Service Board for Gadsden, appointed by the Governor for a term of three years, to provide further for the increase in membership to five members appointed by a majority vote of the combined legislative delegation of the City of Gadsden; to place restriction on membership.

H. 2088. To provide an annual salary for the tax assessor and tax collector of Marshall County.

H. 2089. To authorize and provide for holding an advisory referendum by the qualified voters in cities having populations of not less than 9,500 nor more than 10,000, according to the most recent federal decennial census, on the question of establishing a school system separate from the county.

H. 2092. Relating to all counties having a population of not less than 16,600 nor more than 16,950, according to the last or any subsequent federal decennial census, authorizing the appointment of a deputy coroner in such counties.

H. 2093. To make an appropriation from the Marion County treasury for the relief of Ronnie Cook.

H. 2101. Relating to Baldwin County; to require security deposit for court costs in all civil suits filed in any court in Baldwin County or in lieu thereof a pauper's oath; and prescribing penalties for false statements.

H. 2102. Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

H. 2103. To authorize the city board of education in all cities having a population of not less than 22,000 nor more than 25,000 according to the last or any subsequent federal decennial census to assume responsibility for community education, park and recreation programs.

H. 2110. Relating to Talladega County, fixing the salary of the tax collector of such county.

REGULAR SESSION
30th Day

3543

H. 2111. Relating to Marshall County, Alabama; relating to The Official Court Reporter for the County Court of Marshall County, Alabama.

H. 2112. Relating to Talladega County, fixing the salary of the Tax Assessor of such county.

H. 2113. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

H. 2114. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

H. 2115. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than 68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

H. 2116. To establish the Butler County Court of Common Pleas in lieu of the Inferior Court of Butler County and to abolish said inferior court; to provide for the jurisdiction, officers, sessions, practice and procedure, and costs of the court herein created; to provide for appeals from said court; to provide for the first judge of said court and for the election and term of his successors in office; to prescribe the qualifications and compensation of the judge; and to repeal conflicting laws and to repeal specifically Act No. 27, H. 213, Regular Session 1951 (Acts 1951, p. 235), and all amendments thereto.

H. 2117. To amend Act No. 324, H. 872, Regular Session 1957 (Acts 1957, p. 429), which act provides an expense allowance for the County Solicitor of Butler County.

H. 2118. To amend Section 1 of Act No. 116, H. 98, Regular Session 1971 (Acts 1971, p. 395), an act relating to counties having populations of not less than 14,000 nor more than 15,000, fixing the fee for issuance of a pistol permit, so as to increase such fee.

H. 2121. Amending Section 1 of Act No. 791, H. 923, Regular Session (Acts 1969, p. 1421), relating to the sheriff's department of Lauderdale County, so as to remove the maximum number of deputies that can be hired.

H. 2125. Relating to counties having a population of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; providing a monthly expense allowance for the chairman and members of the county commission.

H. 2126. Relating to Lauderdale County; setting the compensation of certain county officials.

H. 2127. To authorize the Lauderdale County Board of Education to set and establish sick leave and annual leave, and rules pertaining thereto for employees other than teachers so that said employees may, at the discretion of said County Board, participate in leave allowances the same as is provided teachers.

H. 2129. Relating to counties having populations of not less than 15,625 nor more than 15,850 according to the most recent federal decennial census; providing foreign medical graduates an alternative method by which to become certified to practice medicine within such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 2131. (With Amendment): To increase the annual salary to the Tax Assessor, Tax Collector, Probate Judge, Judge of the Inferior Court, and the Circuit Clerk in each county having a population of not less than 37,000 nor more than 39,000 according to the most recent federal decennial census beginning October 1, 1973 for the Tax Assessor and Tax Collector and on the date of the beginning of the next term of office for the Probate Judge, Judge of the Inferior Court, and the Circuit Clerk.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2132. To authorize the county governing body of each county having a population of not less than 37,000 and not more than 39,000 according to the most recent federal decennial census to adopt a resolution and thereby authorize all polling places to remain open between the hours of 8 a.m. and 7 p.m. at all state and local elections held within such counties.

H. 2133. Reating to Shelby County; to amend Act No. 1886, Regular Session, 1971 (Acts 1971, p. 3071), providing for protection against forest fires and assessing the cost against forest lands so as to increase the assessment and to exempt from the assesment the first one hundred sixty acres owned by any one owner.

H. 2134. Relating to the City of Montevallo, to provide for an election to permit the sale of alcoholic beverages in Montevallo within one mile of the University of Montevallo.

H. 2136. To provide that this act shall apply to each county of the State having a population of not less than 27,900 nor more than 33,500 according to the last or any subsequent federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restriction on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcholic beverages except to persons seated at tables; or to impose restrictions on the sale, or service of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to estab-

REGULAR SESSION
30th Day

3545

lish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either or the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama 1940, as now or hereafter amended.

H. 2137. Relating to counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to regulate and control the occupancy of any new or existing building or structure of enclosure where people reside, work, gather or otherwise congregate until the drinking water, plumbing, septic tanks and all pit toilets for the property have been approved by the Sanitarian of the county; to make it unlawful for any public utility, company, board, commission, corporation or individual to make available for use on such property electricity, water or other public service until a certificate of occupancy is issued by the Sanitarian of the county; to provide for appeal to the circuit court by the occupant or owner of such property from the decision of the Sanitarian of the county; to provide that any violation of this act shall constitute a misdemeanor; and, to prescribe penalties.

H. 2143. To authorize and provide for a commercial fisherman's helper for certain such fishermen; to provide for the issuance of permits to such helpers; to prescribe the fees for such permits; to provide for their collection and distribution; and to prescribe penalties for violations of this act.

H. 2145. Relating to counties having a population of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; allowing the governing bodies to pay two additional deputies, two jailers, and a bookkeeper for the months of July and August of 1973.

H. 2150. Relating to counties having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census, allowing the county governing bodies of such counties to pay one deputy sheriff from either the public highway and traffic funds or the general funds of such counties, a salary in an amount not to exceed \$500.00 per month payable to such deputy sheriffs, said salary additional to any other now payable.

H. 2151. To amend further Section 1 of Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), as amended, which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such funds, in certain counties classified on a population basis, so as to increase such fee.

H. 2152. To provide for the selection of a presiding judge in the Twenty Seventh Judicial Circuit.

H. 2153. Relating to St. Clair County, to provide for the repeal of the property tax that is presently being levied and collected in St. Clair County for the construction and operation of hospitals and health facilities therein, and to set forth certain conditions for the repeal of said tax, including the

providing for the holding of a referendum for the purpose of determining if this Act shall become effective.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 2157. (With Amendment): Relating to Escambia County; dividing Escambia County into two districts for the purpose of electing associate members to the Escambia County Commission; providing for the election of two commissioners for each district and fixing their qualifications and term of office; providing for the manner of electing such commissioners subject to the approval of the electors of the county voting in a referendum thereon.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2158. Relating to Sumter County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 2159. To enlarge the corporate limits of the town of Cuba, Alabama, located in Sumter County.

H. 2160. Applicable to Sumter County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Sumter County.

H. 2162. Relating to counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, providing an additional expense allowance for the chairman and members of the governing bodies of such counties.

Mr. Pruitt, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 111. To amend Section 3 of Act 437, H. 713, Acts of Alabama, 1949, page 633, which relates to establishing a sinking fund by municipalities, by amending Section 3 of said act so as to authorize employment of a savings and loan association, organized either under the laws of the State of Alabama or of the United States, to act as Trustee of such sinking fund.

H. 1093. To amend Sections 181 through 184 of Title 5 of the 1940 Code which relate to the conversion and consolidation of state banks into and with national banks.

H. 2038. To amend Section 19 of Act N. 2052 of the 1971 Regular Session of the Legislature of Alabama, said Act to provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violations of said Act; to authorize the Superintendent of Banks to administer said Act.

H. 2039. To amend Section 9(a) of Act No. 374 of the 1959 Regular Session of the Legislature of Alabama. Said Act relating to investigation and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of three hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 2061. (With Substitute): Pertaining to Madison County, to set standards for judicial officers in said County for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2135. Providing for the appointment, powers, compensation and duties of deputy registrars in Madison County; providing that the board of registrars shall pass upon all applications for registration; and to authorize county governing bodies to provide necessary funds and personnel to provide such service.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1677. To amend Section 29, Title 11, Code of Alabama, 1940, relating to the fees of probate judges.

H. 1778. To provide for the establishment of an Alabama Crime Information Center; to provide for a statewide crime information system; to provide for the reporting of all arrests and further disposition of persons charged with felonies and certain misdemeanors and violations; to provide for the submission of uniform crime information; to establish an Advisory Council for the Alabama Crime Information Center; to provide for all matters pertaining to the foregoing.

H. 1156. To amend further Act No. 999, H. 288, Regular Session 1969, (Acts 1969, p. 1855), as amended, which Act established a retirement system for peace officers, in order to redefine certain words and terms in said Act.

H. 709. To amend Section 1 of Act No. 1981, H. 732, Regular Session 1971, (Acts 1971, v. IV, p. 3224), which act establishes the Alabama Peace Officers Standards and Training Commission, so as to include the Alabama Board of Corrections within the meaning of a "law enforcement agency" and a "law enforcement officer."

H. 263. To amend Section 2 of Act No. 160, H. 59, Third Special Session 1971 (Acts 1971, p. 4404), entitled "An Act To provide the manner and

method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama," so as to add a proviso that the Department of Revenue shall not have any authority or power to establish any rule, regulation, criteria or standard that shall require or allow any appraisal of real property to include the inside inspection of any human residence in this state.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1542. (With Substitute): To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation to be known as State Building Authority; to provide the procedure for incorporation, to designate the members, directors, and officers of the Authority; to prescribe the powers of the Authority, including the power to provide for the construction, reconstruction, improvement, alteration, and equipment of public office buildings and facilities or buildings for parking motor vehicles and the acquisition of sites therefor, or the acquisition of such office buildings and parking facilities or buildings by lease-purchase agreement, the power of eminent domain, and the power to sell and issue not exceeding \$ principal amount of bonds for such purposes; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made for rental of its properties and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction and equipment by the Authority of office buildings and parking facilities or buildings or the acquisition by the Authority of such buildings and parking facilities by lease-purchase agreement; to authorize the conveyance to said Authority of lands owned by the State; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, and to private parties, of space in said office building or buildings and said parking facilities and buildings; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; and to provide for dissolution of said Authority and conveyance of its assets and properties to the State upon payment of said bonds and upon full performance or termination of all lease-purchase agreements.

REGULAR SESSION
30th Day

3549

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1908. To establish length and periods of time for law enforcement officers in which they would be recognized for service to the state by increased allowances.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 284. (With Amendment): To provide for the creation, staffing, and functioning of a fiscal office to serve both houses of the Legislature and the members thereof.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 807. To amend Sections 7 and 8 of Act No. 740, Regular Session 1969, which Act created the Alabama Securities Commission, in order to revise salaries of the Director and Deputy Director of said Commission.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, With Amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1587. (With Amendment): Establishing the Alabama Scholarship Program; providing rules of eligibility and criteria for selection; establishing a board to administer the scholarship; appropriating funds from the Special Educational Trust Fund.

H. 2144. (With Amendment): To require each city and county board of education in this state to grant lunchroom workers and custodial employees in each public school in this state the same percentage raise as was granted to school teachers under the provisions of the Special Educational appropriation bill enacted at the 1973 Regular Session of the Legislature.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 244. (With Substitute): To abolish the Office of County Solicitor of Cullman County, Alabama, and to extend the power, authority and duties of the District Attorney of the Thirty-Second Judicial Circuit to require that he prosecute or supervise the prosecution of all misdemeanors and all felonies in any and all inferior courts in said Judicial Circuit and to perform all duties heretofore performed by the County Solicitor of Cullman County, and creating the Office of Deputy District Attorney for said Judicial Circuit to be ap-

pointed and serve at the pleasure of the District Attorney; setting the qualifications and salary of said Deputy District Attorney.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2029. To further identify creditable years of service under the State Employees' Retirement System.

H. 1835. Relating to taxation, exempting Positive Maturity of Birmingham, Alabama, a non-profit corporation organized and existing under the laws of the State of Alabama, and its departments and agencies from the levy of the state sales and use taxes.

H. 1672. To amend Section 3 of Act No. 96, H. 17, approved 1971, Regular Session, p. 166, which levies and regulates a privilege tax against persons engaged in the business of leasing or renting tangible personal property, so as to further provide for exemptions from the computation of the amount of the tax levied.

H. 800. To amend Title 13, Section 255, Code of Alabama, 1940, as amended, relating to the appointment of deputy district attorneys for the Fifteenth and Twenty-sixth Judicial Circuits of Alabama, and their salaries.

H. 125. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 2078. (With Amendment): Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county, and to provide for the severability of the parts, sections and provisions of the Act.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 877. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census, so as to allow probate judges of such counties to store a

copy of the records of the probate court at a place, selected by said judge, outside the State, in order to protect such records from fire, natural disaster, civil disorder, nuclear attack, or other destruction.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 2048. (With Substitute): To amend Sections 3, 11, 12 and 18 of Act No. 107, H. 150, Special Session 1956 (Acts 1956, p. 154), as amended, relating to the retirement system for the City of Prichard.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 640. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

H. 2091. To authorize and provide for the collection of an additional application or issuance fee to be charged by the License Commissioners, Judges of Probate, Directors of Revenue, or other public officers performing like duties relating to the application or issuance of motor vehicle licenses, motor vehicle license transfers, drivers licenses or permits, business or professional licenses and the transfer of business licenses in all counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal census, provided however, that no affidavit fee of twenty-five cents presently prescribed by law in said counties shall be collected for affidavits taken or required in the course of the application or issuance of licenses or transfers.

H. 2098. To amend Act No. 342, Section 1 on Page 632 of the 1971 Acts of Alabama, "to PROVIDE AN ADDITIONAL AND ALTERNATIVE method of assessing, paying taxes on and issuing license tags for motor vehicles in counties having a population of 300,000 or more according to the last or any subsequent federal census." This amendment to provide for an increase in the mail fee for motor vehicle license tags issued by mail in counties having a population of not less than 300, 000 nor more than 500,000.

H. 2062. Relating to counties having a population of not less than 300,000 and not more than 500,000 according to the last Federal Decennial Census; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such counties.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1895. (With Substitute): Authorizing marriages to be solemnized by certain persons in addition to those persons now authorized by law in

counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1346. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

H. 741. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said circuits of one Grand Jury Bailiff; to prescribe his duties, to fix his term of employment and to prescribe his compensation and provide for the payment of his compensation out of the General Fund of the County.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, With Substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1832. (With Substitute): To amend Section 2 of Act No. 167, H. 231, Regular Session 1955 (Acts 1955, p. 431), which provides for the composition of the Supervisory Committee of the Mobile County Personnel Board, so as to further provide for such composition.

H. 634. (With Substitute): To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

RESOLUTIONS

The following resolutions introduced on the twenty-ninth legislative day were read by title pursuant to Joint Rule 12:

H. J. R. 192. MOURNING THE DEATH OF MERVYN HAYDEN STERNE

H. J. R. 194. COMMENDING E. L. STEWART

H. R. 196. COMMENDING CHESTER HICKS, CLAUDE SPRINGFIELD, GRADY GILLAM, STANLEY HARRIS, FLOYD BEDDINGFIELD, TOM McKENZIE, EUGENE PRATOR, PAUL MELOUN, ED CARRELL, TOM CROSS, H. W. PUTNAM, OLLIE W. SCOTT, CHARLES BOMAN, MIKE McDOUGALD, DEMOCRATIC COMMITTEE, E. W. CARLSON, DR. S. ROWE, HARRY SIZEMORE, WILLIAM FLETCHER, NESTOR KAMPAKIS, GADSDEN CITY COMMISSION, OLLIE SCOTT, J. T. McKENZIE, THE GADSDEN TIMES, CHARLES TODD, MARVIN COHN, CONNIE ENTREKIN, JACK L. RAY, JERRY ROBERTS, RAY IGLEHART, BENJAMIN FRAZIER, FRED SINGTON, JR., MRS. JANICE ERWIN, CLARENCE SIMMONS, MRS. LU SEIGEL,

REGULAR SESSION
30th Day

3553

J. D. JOHNS, JOHN ETCHISON, KIP WADSWORTH, MAX L. SMITH, H. RAY COX, CHARLES CANTRELL, WM. H. MILLS, JAMES WATTS, M. H. MCCARTNEY, W. T. DAWSON, JERRY WEAVER, A. S. KLYCE, ALAN BERMAN, BUNNY HAGEDORN, ROBERT ECHOLS, ALL OF GADSDEN ALABAMA FOR THEIR OUTSTANDING WORK IN MAKING POSSIBLE THE DOWNTOWN ACTION COUNCIL'S FIRST "LEGISLATIVE WEEKEND," MAY 10-11, 1973, HONORING STATE OFFICIALS AND MEMBERS OF THE ALABAMA LEGISLATURE AND THEIR WIVES AND FRIENDS.

H. J. R. 197. MOURNING THE DEATH OF THOMAS W. BRADFORD

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 796, with a suggested Executive Amendment.

Respectfully submitted
HARRY L. PENNINGTON
Executive Secretary

August 14, 1973

To the House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, House Bill No. 796 without my approval and with a suggested Executive Amendment.

It is suggested that Article 1, Section 1.07 be amended by deleting the following sentence from the fourth paragraph in the section, and where it might otherwise appear in the said section:

"Notwithstanding any provision of any other statute or statutes there shall be no requirement that, in the election of the first council, an elector must vote only in the district of his residence."

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully
GEORGE C. WALLACE
Governor of Alabama

August 14, 1973

GOVERNOR'S MESSAGE

On motion of Mr. Jones (F), the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 796, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Collins	Grey (D)	Merrill
Adams	Connell	Hale	Mims
Adwell	Coshatt	Hardin	Owens
Bank	Cottingham	Harris	Porter
Barkett	Crawford	Hill	Reed (T)
Barron	Cross	Hobbie	Slate
Benton	Crowe	Hughes	Smith (K)
Boles	Downing	Jackson	Smith (P)
Boutwell	Easters	Jones (F)	Taylor
Bowers	Edwards	King	Therrell
Brassell	Ellis	Kinsey	Turner
Carnes	Erdreich	Lutz	Waldrop
Carter	Fite	McCorquodale	Williams
Casey	Flipppo	McMillan	Wise
Cauthen	Gafford	May	Wynot
Chesnut	Grainger		

—62

Which was a majority of the whole number elected to the House.

And the bill:

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

REGULAR SESSION
30th Day

3555

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Connell	Hale	Merrill
Adams	Coshatt	Hardin	Owens
Barkett	Cottingham	Harris	Porter
Barron	Crawford	Hill	Reed (T)
Benton	Cross	Hobbie	Slate
Boles	Downing	Hughes	Smith (K)
Boutwell	Easters	Jackson	Smith (P)
Bowers	Edwards	Jones (F)	Taylor
Brassell	Ellis	King	Therrell
Carnes	Erdreich	Kinsey	Turner
Carter	Fite	Lang	Waldrop
Casey	Flippo	Lutz	Wallace
Cauthen	Gafford	McCluskey	Williams
Chesnut	Grainger	McMillan	Wise
Collins	Grey (D)	May	Wynot

—60

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 400. Relating to Morgan County; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

McDOWELL LEE,
Secretary.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Hobbie (With Notice and Proof):

H. 2164. Relating to Montgomery County; authorizing the establishment of branch banks.

Local Legislation No. 4.

Notice and Proof H. 2164:

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Montgomery County; authorizing the establishment of branch banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank maintaining and operating an office in Montgomery County for the transaction of a banking business may establish, operate and maintain additional offices or branches at any place within the limits of such county with the consent and approval of the Superintendent of Banks.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Betty K. Shine, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was bookkeeper of the Alabama Journal, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, 21, 28, and August 4, all in the year 1973.

BETTY K. SHINE.

Sworn to and subscribed before me this 8th of August, 1973.

MARGARET B. MORGAN,
Notary Public.

By Mr. Hobbie:

H. 2165. To authorize the Director of the Department of Public Safety to retain on a contractual basis such persons as he deems necessary effectively to support the Department of Public Safety and local law enforcement efforts in apprehending violators of the criminal statutes of the State of Alabama, including efforts aimed at combating the menace of narcotic and drug abuse.

Public Welfare.

By Messrs. Hobbie and Barron (With Notice and Proof):

H. 2166. Relating to circuit court jurisdiction in Montgomery County, so as to raise the age of a dependent child, a neglected child, and a juvenile

child from sixteen to eighteen years, and to place such persons eighteen years or younger within the jurisdiction of the circuit court.

Local Legislation No. 4.

Notice and Proof H. 2166:

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to circuit court jurisdiction in Montgomery County, so as to raise the age of a dependent child, a neglected child, and a juvenile child from sixteen to eighteen years, and to place such persons eighteen years or younger within the jurisdiction of the circuit court.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions.—(1) For the purposes of this act the words “dependent child” shall mean any child, who, while under eighteen years of age, for any reason, is destitute, homeless, or is dependent on the public for support; or who is without a parent or guardian able to provide for his support, training and education; or whose custody is the subject of controversy. (2) The words “neglected child” shall mean any child, who, while under eighteen years of age is abandoned by both parents, or if one parent is dead, by the survivor, or by his guardian, or custodian; or who has no proper parental care or guardianship or whose home, by reason of neglect, cruelty, or depravity, on the part of his parent or parents, guardian or other person in whose care he may be, is an unfit or improper place for such child; or who is found begging, receiving or gathering alms, or who is found in any street, road or public place for the purpose of so doing, whether actually begging or doing so under the pretext of selling or offering for sale any article or articles, or of singing or playing on any musical instrument, or of giving any public entertainment or accompanying or being used in aid of any person so doing; or for whom his parent, parents, guardian or custodian, neglect or refuse, when able to do so, or when such service is offered without charge, to provide, or allow, medical, surgical, or other care necessary for his health, or well-being; or whose parent, parents, guardian or custodian permits such child to engage in an occupation or calling contrary to the provisions of the child labor law of this state; or whose parent, parents, guardian or custodian fail, refuse or neglect to send such child to school in accordance with the terms of the compulsory attendance law of this state; or who is in such condition or surroundings, or is under such improper or insufficient guardianship or control as to endanger the morals, health or general welfare of such child; or who is not being reared or cared for in accordance with the provisions of any law, regulation or ordinance for the education, care and protection of children; or who for other cause is in need of the care and protection of the state. (3) The words “delinquent child” shall mean any child who while under eighteen years of age violates any penal law of the United States or of this state, or any regulation, ordinance or law of any city, town or municipality, or who commits any of-

fense or act for which an adult could be prosecuted in a method partaking of the nature of criminal action or proceeding; or who is beyond the control of his parent, parents, guardian, or custodian, or who is otherwise incorrigible, or who is guilty of immoral conduct, or who is leading an idle, dissolute, lewd or immoral life; or who engages in any calling, occupation or exhibition punishable by law or is found in any place for permitting which an adult may be punished by law. (4) The word "court" and the words "circuit court" when used in this act shall, unless otherwise qualified, mean the circuit court of the county, sitting as the Domestic Relations Division for the hearing of cases or the disposition of any matter arising under the provisions of this act.

Section 2. All such children, hereinabove described as dependent, neglected, or delinquent, shall be subject to the care and protection of the Domestic Relations Division of the circuit court of Montgomery County. Said division is hereby authorized to formulate and implement such rules and regulations as are needed to carry out the aforementioned duties, along with those created under Act No. 250, S. 312, Regular Session 1959 (Acts 1959, p. 810), as amended.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Betty K. Shine, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was bookkeeper of the Alabama Journal, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, 21, 28, and August 4, all in the year 1973.

BETTY K. SHINE.

Sworn to and subscribed before me August 8, 1973.

MARGARET B. MORGAN,
Notary Public.

By Messrs. McMillan, McNair, Erdreich, Bowers, Hughes and Waggoner:

H. 2167. Relating to counties having a population of 600,000 or more; granting the county commission the authority to redefine the duties and responsibilities of each commissioner.

Local Legislation No. 2.

REGULAR SESSION
30th Day

3559

By Messrs. Wynot and Carnes (With Notice and Proof):

H. 2168. Relating to Etowah County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Local Legislation No. 1

Notice and Proof H. 2168:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purposes of this Act the term "licensed cosmetologist" shall mean a cosmetologist who has been duly licensed as such by the state board of cosmetology pursuant to Act. No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), as amended, and the term "registered beauty shop" shall mean a beauty shop which has been registered with or by such board pursuant to said Act. The following words and phrases when used in this Act shall have the meaning ascribed to them in the above-cited Act No. 78 of the Special Session of 1961, as amended: "apprentice," "beauty shop," "managing cosmetologist," and "school of cosmetology."

Section 2. Any person who will conduct his business entirely within Etowah County shall be licensed by the state board of cosmetology as a managing cosmetologist provided such person has had one years experience prior to application for such license and provided such applicant complies with other requirements for such license.

Section 3. Any provision of law to the contrary notwithstanding any person who is eligible to be registered as an apprentice pursuant to Act No. 78, S. 72 of the Special Session of 1961, and who is serving as an apprentice in a duly registered beauty shop in Etowah County may also be enrolled in a school of cosmetology at the same time that such person is serving such apprenticeship.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act are supplemental and insofar as possible it shall be construed in pari materia with other laws regulating the practice of Cosmetology; however the provisions of this Act shall supersede

as to Etowah County the provisions of any other law, general, local or special, which are in conflict herewith and it is specifically provided that insofar as Act No. 78, S. 72 of the Special Session of 1961 (Acts 1961, p 1955) conflicts with this Act it is superseded as to Etowah County.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

GLEENDA GRIFFIN.

Sworn to and subscribed before me August 6, 1973.

LEE DRISKELL,
Notary Public.

My Commission Expires May 16, 1976.

By Mr. Kinsey (With Notice and Proof):

H. 2169. Relating to Baldwin County; providing for the election of the county superintendent of education and prescribing his qualifications, duties, compensation and term of office; providing for the filling of vacancies in such office; and making the provisions of this act subject to the approval of a majority of the electors of the county voting in a referendum to be held thereon.

Local Legislation No. 1.

Notice and Proof H. 2169:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Baldwin County; providing for the election of the county superintendent of education and prescribing his qualifications, duties, compen-

sation and term of office; providing for the filling of vacancies in such office; and making the provisions of this act subject to the approval of a majority of the electors of the county voting in a referendum to be held thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. The superintendent of education of Baldwin County shall be elected by the qualified electors of said county at the general election to be held in 1974 and every four years thereafter. He shall hold office for a term of four years beginning on July 1, next following his election and until his successor shall have been elected and qualified.

Section 2. The superintendent of education of Baldwin County shall possess all of the qualifications prescribed for county superintendents of education under the general laws of this state, and he shall perform and discharge all of the duties of county superintendents of education under the general laws of this state.

Section 3. The county superintendent of education shall devote his entire time to the duties of his office. His compensation, including annual salary and traveling expenses incurred within and without the county, shall be prescribed by the county board of education; provided, such compensation for each four year term shall be fixed prior to the election of the superintendent of education for each such term.

Section 4. A vacancy in the office of the county superintendent of education, occurring from any cause shall be filled by the county board of education as is provided by the general laws of the state.

Section 5. The substantive provisions of this act shall become operative only if approved by a majority of the qualified electors of Baldwin County voting in a referendum to be held for that purpose. Such referendum shall be held on the same day as the first countywide primary, general or special election held in the county after final adjournment of the 1973 Regular Session of the Alabama Legislature. The Baldwin County Commission or other like governing body of said county shall order and provide for holding the referendum on such date. On the ballots to be used in the referendum, the question shall be stated substantially as follows: "Shall the provisions of Act No. _____, H. _____ of the 1973 Regular Session of the Legislature, which provides for the election of the superintendent of education of Baldwin County be adopted? Yes () ; No ()." If a majority of the votes cast at the referendum are "Yes," all of the provisions of this act shall become effective immediately. If a majority of the votes cast are "No," this act shall have no further effect; except that the judge of probate of Baldwin County shall certify the results of the referendum to the Secretary of State within 30 days after the determination thereof.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Cameron, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Onlooker, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, 9, and 16, all in the year 1973.

JOHN D. CAMERON.

Sworn to and subscribed before me August 13, 1973.

LILLIAN M. FELL,
Notary Public.

By Mr. Owens:

H. 2170. Relating to counties having a population of not less than 15,650 nor more than 16,200 according to the most recent federal decennial census; requiring any judge who wishes to be paid by such counties under the provisions of Act No. 606 S. 112, Regular Session 1969 (Acts 1969, p. 1110), which relates to Supernumerary Probate Judges, to maintain his permanent residence in such county.

Local Legislation No. 1.

By Mr. Connell:

H. 2171. Relating to counties having populations of not less than 56,000 nor more than 59,000 according to the most recent federal decennial census; to authorize the county commission to construct off-street parking facilities on real property owned by the county, to operate, manage and maintain such facilities, and to make or provide a schedule of fees or charges and promulgate rules and regulations, for the use of such parking facilities; to provide for penalties for violations.

Local Legislation No. 1.

By Mr. May:

H. 2172. To provide that any town of the state having a population of not less than 1,570 and not more than 1,625 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such town to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Local Legislation No. 1.

REGULAR SESSION
30th Day

3563

By Messrs. Culver and Parker:

H. 2173. Relating to all counties having populations of not less than 115,000 nor more than 130,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 2174. Relating to counties having populations of not less than 16,350 nor more than 16,650 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 2175. Relating to counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

Local Legislation No. 1.

By Messrs. Flippo and Hill:

H. 2176. Applicable to any county having a population of not less than 65,500 nor more than 75,000 according to the last federal decennial census; to provide for the salary of the members of the Jury Commission of such county.

Local Legislation No. 1.

By Messrs. Hill and Flippo (With Notice and Proof):

H. 2177. To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County and providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, by amending Sections 2 and 5 thereof; providing that the county governing body shall have and exercise the power to determine which new county roads and bridges are to be built within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system, all subject to the approval of the State Highway Department; providing that the State Highway Department shall cause its Lauderdale County Engineer, or Assistant Engineer, to personally meet with the county governing body of Lauderdale County in its second regular meeting of each month and make an up-to-date status report on the progress of the work of the State Highway Department relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County; and further providing that the State Highway Department shall prepare and file with

the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

Local Legislation No. 1.

Notice and Proof H. 2177:

LEGAL NOTICE

STATE OF ALABAMA LAUDERDALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County and providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, by amending Sections 2 and 5 thereof; providing that the county governing body shall have and exercise the power to determine which new county roads and bridges are to be built within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system, all subject to the approval of the State Highway Department; providing that the State Highway Department shall cause its Lauderdale County Engineer, or Assistant Engineer, to personally meet with the county governing body of Lauderdale County in its second regular meeting of each month and make an up-to-date status report on the progress of the work of the State Highway Department relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County; and further providing that the State Highway Department shall prepare and file with the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, is hereby amended, to read as follows:

"Section 2. The county governing body of Lauderdale County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this act, as follows:

(a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the State;

(b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

(c) To determine, subject to the approval of the State Highway Department, the right of eminent domain for the purpose of acquiring right of way for the establishment and changing of county roads and bridges in the manner presently provided by law;

(d) To determine which new county roads and bridges are to be built within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system, all subject to the approval of the State Highway Department. Said determination is to be based on public and community need considering the number of families per road mile, vehicle usage, safety factors, traffic flow and such other criteria as may be promulgated by the State Highway Department."

Section 2. Section 5 of Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, is hereby amended to read as follows:

"Section 5. (a) The State Highway Department shall construct, maintain and repair all the county roads and bridges of Lauderdale County from the funds paid over to it pursuant to Section 4 of this Act and from funds which would otherwise accrue to Lauderdale County for road and bridge work from any source whatsoever. (b) The State Highway Department, through its Lauderdale County Engineer, or Assistant Engineer or other representative delegated by the State Highway Department, shall meet with the county governing body of Lauderdale County in its second regular meeting of each month, or such other times and places as may be agreed upon the parties, and at such meetings make and up-to-date status report to such county governing body on the progress of the work of the State Highway Department relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County. (c) The State Highway Department shall prepare and file with the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report including revenues accruing to Lauderdale County from funds under Section 4 of this Act and from funds which would otherwise accrue to Lauderdale County for road and bridge work from any source whatsoever and expenditures made or obligated from said funds, relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

Section 3. The provisions of the Act are hereby declared to be severable in nature and should any section or other portion thereof be declared unconstitutional or invalid such adjudication shall not affect the portion, or portions, of said Act remaining.

Section 4. The provisions of this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Dai-

ly, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of STATE OF ALABAMA LAUDERDALE COUNTY Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit: A BILL TO BE ENTITLED AN ACT To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 25, August 1, 8, 15, 1973.

BILL HARRISON.

Sworn to before me this 15th day of August, 1973.

WALLACE E. OWEN, JR.,

Notary Public, State at Large.

My Commission expires December 13, 1976.

By Messrs. Hill and Flippo (With Notice and Proof):

H. 2178. Relating to the management of the public records of Lauderdale County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Lauderdale County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Lauderdale County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

Local Legislation No. 1.

Notice and Proof H. 2178:

LEGAL NOTICE

STATE OF ALABAMA LAUDERDALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the management of the public records of Lauderdale County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Lauderdale County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or

microphotographing of old documents and records presently held as public records of Lauderdale County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commissioners of Lauderdale County may require the photographing or microphotographing, on plate or film of any record, document, plat, court file, book, map, paper, or writing made, acquired, or received as required by law by any official of Lauderdale County except those records that the board of registrars is required by law to make and keep, which may be photographed or microfilmed only if this procedure is approved unanimously by the board of registrars. Such photographs, microfilms, or prints made therefrom, when duly authenticated by the custodian thereof, shall have the same force and effect at law as the original record, or of a record made by any other legally authorized means, and may be offered in like manner and shall be received in evidence in any court where such original record, or record made by other legally authorized means, could have been so introduced and received. In like manner, reproductions made from such records by photographic or like process, when otherwise in compliance with applicable statutes, rules and regulations, shall be received and treated in any court of this State as fully as would a transcription or reproduction of such records made by any other means or process.

Section 2. The court or board is authorized to charge to any office, court, board, institution, department or agency of the county the cost of photographing or microphotographing of public records belonging to that office, court, board, institution, department, or agency, by the charging of the cost of such work to that office, court, board, institution, department or agency's appropriation from the county budget.

Section 3. The court or board may from time to time appropriate amounts out of the general fund of the county sufficient to pay the cost of photographing or microphotographing the public records belonging to the county, and may from time to time appropriate amounts sufficient to purchase necessary photographic or microphotographic equipment, materials and supplies therefor.

Section 4. The custodian of public records is authorized to photograph or microphotograph all public records existing as of the effective date of this act, and after such records have been processed and checked for clarity, all presently existing bound volumes may be offered to the State Department of Archives and History for permanent storage. Such volumes as are refused by the Department may be destroyed unless otherwise prohibited by law.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Dai-

ly, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: **A BILL TO BE ENTITLED AN ACT Relating to the Management of the public records of Lauderdale County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Lauderdale County, as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 17, 24, 31, August 7, 1973.**

BILL HARRISON.

Sworn to before me this 7th day of August, 1973.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission expires December 13, 1976.

By Messrs. Flippo and Hill (With Notice and Proof):

H. 2179. Relating to Lauderdale County; to further amend Sections 1, 2, 3, 4, 7, 8 and 10 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433), as amended by Act No. 470 adopted by the 1959 Regular Session of the Legislature of Alabama, approved November 13, 1959 (Acts of Alabama of 1959, Vol. 2, pp. 1165-1170), relating to privilege or license taxes or excise taxes in Lauderdale County (outside the corporate limits of the City of Florence) and in the City of Florence, Lauderdale County; levying in such county (outside the city limits of Florence, Lauderdale County; levying in such county (outside the city limits of Florence) and in such municipality additional privilege license and excise taxes paralleling the state sales and use taxes provided for in Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and in Articles 11, 11A and 11B, Title 51, Code of Alabama, 1940, as amended; providing that the taxes levied in Sections 1 and 3 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, as amended, except where inapplicable or where herein otherwise provided; providing that the taxes levied in Sections 2 and 4 of this Act shall be subject to all of the exemptions, definitions, proceeding, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, except where inapplicable or where herein otherwise provided; providing for the alternative collection of such taxes and the enforcement and administration of the Act by the State Department of Revenue if authorized and directed by the governing body of Lauderdale County; and further providing a procedure by which the governing body of Lauderdale County may discontinue availing itself of the alternative collection of such taxes and the enforcement of the Act by the State Department of

REGULAR SESSION
30th Day

3569

Revenue after election to invoke such alternative collection and enforcement procedures has been made.

Local Legislation No. 1.

Notice and Proof H. 2179:

LEGAL NOTICE

STATE OF ALABAMA
LAUDERDALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; to further amend Sections 1, 2, 3, 4, 7, 8 and 10 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433), as amended by Act No. 470 adopted by the 1959 Regular Session of the Legislature of Alabama, approved November 13, 1959 (Acts of Alabama of 1959, Vol. 2, pp. 1165-1170), relating to privilege or license taxes or excise taxes in Lauderdale County (outside the corporate limits of the City of Florence) and in the City of Florence, Lauderdale County; levying in such county (outside the city limits of Florence) and in such municipality additional privilege license and excise taxes paralleling the state sales and use taxes provided for in Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and in Articles 11, 11A and 11B, Title 51, Code of Alabama, 1940, as amended; providing that the taxes levied in Sections 1 and 3 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, as amended, except where inapplicable or where herein otherwise provided; providing that the taxes levied in Sections 2 and 4 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, except where inapplicable or where herein otherwise provided; providing for the alternative collection of such taxes and the enforcement and administration of the Act by the State Department of Revenue if authorized and directed by the governing body of Lauderdale County; and further providing a procedure by which the governing body of Lauderdale County may discontinue availing itself of the alternative collection of such taxes and the enforcement of the Act by the State Department of Revenue after election to invoke such alternative collection and enforcement procedures has been made.

Be It Enacted by the Legislature of Alabama:

Section 1, Section 1 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama, approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433), hereinafter referred to as "Act

No. 296", as amended by Act No. 470 adopted by the 1959 Regular Session of the Legislature of Alabama, approved November 13, 1959 (Acts of Alabama of 1959, Vol. 2, pp. 1165-1170), hereinafter referred to as "Act No. 470", is hereby further amended to read as follows:

"Section 1. In Lauderdale County, Alabama (outside the city limits of Florence) there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm, or corporation, engaged, or continuing within Lauderdale County, Alabama (outside the city limits of Florence) in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfillings contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceed of sale of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10¢) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10¢) per sale and shall file with the Probate Judge of Lauderdale County, Alabama or with the State Department of Revenue, whichever office or department then has the responsibility of collecting the taxes herein levied, a sworn statement to that effect and shall keep and maintain records satisfactory to the Probate Judge of Lauderdale County, Alabama or to the State Department of Revenue, whichever office or department then has the responsibility of collecting the taxes herein levied, the gross receipts tax herein provided for shall not be levied.

(b) Upon every person, firm or corporation engaged, or continuing within Lauderdale County, Alabama (outside the city limits of Florence) in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests, conducted by or under the auspices of any educational institution within this state, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, or county, or a municipal institution or association or a state, county, or city school, or other institution association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission

REGULAR SESSION
30th Day

3571

fee is charged, including public bathing places, public dance halls of every kind and description within Lauderdale County, Alabama (outside the city limits of Florence) an amount equal to one percent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within Lauderdale County, Alabama (outside the city limits of Florence) in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to $\frac{1}{4}$ of 1 percent of the gross proceeds of the sale of such machines; provided, that the term "machines" as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefore, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within Lauderdale County, Alabama (outside the city limits of Florence) in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to one fourth of one percent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer, provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, a fee of \$5.00 dollars per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be, of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(e) Upon every person, firm, or corporation engaged or continuing within Lauderdale County, Alabama (outside the city limits of Florence) in the business of selling at retail any machine, machinery, or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock, or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, an amount equal to $\frac{1}{4}$ of 1 percent of the gross proceeds of the sale thereof. Provided, however, the per cent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

(f) The tax levied in Section 1 hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and supplemented", as amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 2. Section 2 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 2. (a) In Lauderdale County, Alabama (outside the city limits of Florence) an excise tax is hereby imposed on the storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail after the effective date of this Act for storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) at the rate of one percent of the sales price of such property, except as provided in subsections (b) (c) and (d).

(b) In Lauderdale County, Alabama (outside the city limits of Florence) an excise tax is hereby imposed on the storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this Act at the rate of $\frac{1}{4}$ of 1 percent of the sales price of any such machine; provided, that the term "machine" as herein used shall include machinery which is used for mining, quarrying, compounding, processing, or other manufacturing tangible personal property, and the parts of such machines, attachments and replacements thereof, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) In Lauderdale County, Alabama (outside the city limits of Florence) an excise tax is hereby imposed on the storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail on or after the effective date of this Act for storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) at the rate of one-fourth of one percent of the sales price of such auto-

motive vehicle, truck trailer, semi-trailer or house trailer. Where any used automotive vehicle or truck trailer or semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) In Lauderdale County, Alabama (outside of the city limits of Florence) there is hereby levied and imposed an excise tax on the storage use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) of any machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry, on farms, and the parts of such machines, machinery, or equipment attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, which is purchased at retail after the effective date of this Act for storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence), at the rate of $\frac{1}{4}$ of 1 percent of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Lauderdale County, Alabama (outside the city limits of Florence). Provided, however, the $\frac{1}{4}$ of 1 percent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use except farm trailers used primarily in the production and harvesting of agricultural commodities.

(e) Every person storing, using or otherwise consuming in Lauderdale County, Alabama (outside the city limits of Florence) tangible personal property purchased at retail shall be liable for the tax imposed hereby, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in Lauderdale County, Alabama, showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for tax to which such receipt may refer.

(f) An excise tax is hereby imposed on the classes of tangible personal property, and at the rates imposed on such classes, specified in subsections (a) (b) (c) and (d) of this Section 2, on the storage, use or other consumption in the performance of a contract in Lauderdale County, Alabama (outside the city limits of Florence) of any such tangible personal property, new or used, the tax to be measured by the sales price of the fair and reasonable market value of such tangible personal property when put into use in Lauderdale County, Alabama (outside the city limits of Florence), whichever is less. Provided, however, the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a) (b) (c) and (d) of this Section 2 are applicable.

(g) Each tax levied in Section 2 hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 3. Section 3 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 3. In the City of Florence, Alabama there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm, or corporation, engaged or continuing within the City of Florence, Alabama in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one-half of one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10c) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale and shall file with the Probate Judge of Lauderdale County, Alabama or with the State Department of Revenue, whichever office or department then has the responsibility of collecting the taxes herein levied, a sworn statement to that effect and shall keep and maintain records satisfactory to the Probate Judge of Lauderdale County, Alabama or to the State Department of Revenue, whichever office or department then has the responsibility of collecting the taxes herein levied, the gross receipts tax herein provided for shall not be levied.

(b) Upon every person, firm or corporation engaged, or continuing within the City of Florence, Alabama in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests, conducted by or under the auspices of any educational institution within this state, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, or county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the City of Florence, Alabama an amount equal to one per cent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within the City of Florence, Alabama in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to $\frac{1}{8}$ of 1 per cent of the gross proceeds of the sale of such machines; provided, that the term "machines" as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within the City of Florence, Alabama in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to $\frac{1}{8}$ of one per cent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer, provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, a fee of \$5.00 dollars per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be, of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, or semi-trailer or house trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(e) Upon every person, firm, or corporation engaged or continuing within the City of Florence, Alabama in the business of selling at retail any machine, machinery, or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock, or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefore which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, an amount equal to $\frac{1}{8}$ of 1 per cent of the gross proceeds of the sale thereof. Provided, however, the $\frac{1}{8}$ of 1 per cent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of

a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

(f) The tax levied in Section 3 hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and supplemented", has amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 4. Section 4 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 4. a) In the City of Florence, Alabama an excise tax is hereby imposed on the storage, use or other consumption in the City of Florence, Alabama of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail after the effective date of this Act for storage, use or other consumption in the city of Florence, Alabama at the rate of one per cent of the sales price of such property, except as provided in subsections (b) (c) and (d).

(b) In the City of Florence, Alabama an excise tax is hereby imposed on the storage, use or other consumption in the City of Florence, Alabama of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this Act at the rate of $\frac{1}{4}$ of 1 per cent of the sales price of any such machine; provided, that the term "machine" as herein used shall include machinery which is used for mining, quarrying, compounding, processing, or other manufacturing tangible personal property, and the parts of such machines, attachments and replacements thereof, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) In the City of Florence, Alabama an excise tax is hereby imposed on the storage, use or other consumption in the City of Florence, Alabama of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail on or after the effective date of this Act for storage, use or other consumption in the City of Florence, Alabama at the rate of one-fourth of one percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where any used automotive vehicle or truck trailer or semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) In the City of Florence, Alabama there is hereby levied and imposed an excise tax on the storage, use or other consumption in the City of

Florence, Alabama of any machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry, on farms, and the parts of such machines, machinery, or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, which is purchased at retail after the effective date of this Act for storage, use or other consumption in the City of Florence, Alabama, at the rate of $\frac{1}{4}$ of 1 per cent of the sales price of such property, regardless of whether the retailer is or is not engaged in business in the City of Florence, Alabama. Provided, however, the $\frac{1}{4}$ of 1 per cent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use except farm trailers used primarily in the production and harvesting of agricultural commodities.

(e) Every person, storing, using or otherwise consuming in the City of Florence, Alabama tangible personal property purchased at retail shall be liable for the tax imposed hereby, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in the City of Florence, Alabama, showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for tax to which such receipt may refer.

(f) An excise tax is hereby imposed on the classes of tangible personal property, and at the rates imposed on such classes, specified in subsections (a) (b) (c) and (d) of this Section 4, on the storage, use or other consumption in the performance of a contract in the City of Florence, Alabama of any such tangible personal property, new or used, the tax to be measured by the sales price of the fair and reasonable market value of such tangible personal property when put into use in the City of Florence, Alabama, whichever is less. Provided, however, the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a) (b) (c) and (d) of this Section 4 are applicable.

(g) Each tax levied in Section 4 hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 5. Section 7 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 7. (a) Unless otherwise authorized and directed by the governing body of Lauderdale County as provided in sub-section (b) of this section, the taxes herein levied shall be collected by and paid to the Probate Judge of Lauderdale County in his official capacity. All reports required to be made to the Commissioner of Revenue of the State of Alabama as to State Sales and Use Taxes under the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940 and amendments thereto, as to such taxes herein levied shall also be made to the Probate Judge of Lauderdale County, Alabama, and as to the taxes herein levied the Probate Judge

of Lauderdale County, Alabama shall have and exercise the same powers, duties and obligations as are imposed on the Commissioner of Revenue of the State of Alabama by the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, and amendments thereto, as to state taxes therein levied. The Probate Judge of Lauderdale County shall be reimbursed out of said taxes for all clerk hire and other expense incurred by him in the collection, handling and disbursing of said monies, and shall also be entitled to reasonable compensation for his services in connection therewith, to be paid out of said tax monies, not to exceed one per cent of such collection. And each person or party paying any tax under this Act to said Probate Judge shall be authorized to deduct from the remittance three per cent (3 per cent) of the amount of such tax for reimbursement for the expense of collecting and reporting such tax. (b) If authorized and directed by resolution of the governing body of Lauderdale County, all taxes herein levied shall be collected by and paid to the State Department of Revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto, and amendatory thereof. In the event of such authorization and direction the provisions hereinafter set out in this sub-section (b) shall apply to the payment and collection of the taxes herein levied. The duties hereby imposed upon the Commissioner of Revenue, the Department of Revenue and the State Comptroller shall be assumed and discharged by them after the making and filing with the State Department of Revenue of a certified copy of the authorizing resolution of the governing body of Lauderdale County; but the duty to collect the taxes herein levied shall not be imposed upon the Department of Revenue until the 1st day of the month next following the expiration of thirty (30) days from the date of the filing with it of such certified copy of the authorizing resolution which shall be the beginning period for the collection of such taxes as shall be due on and after said 1st day of the month. This Act shall be enforced by the Commissioner of Revenue and the State Department of Revenue in the same way, and subject to the same rules and regulations, including discounts to licensees, as the state sales tax and the state use tax are enforced as provided in Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and in Articles 11, 11A and 11B of Chapter 20 of Title 51, Code of Alabama, 1940, as amended, respectively, and Acts supplemental thereto and amendatory thereof, except where inapplicable or where herein otherwise expressly provided. The State Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of the taxes herein levied. On and prior to the due dates of the taxes herein levied each person subject to said taxes shall file with the State Department of Revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as a measurement of the taxes herein levied, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business, and setting forth with respect to the use taxes herein levied, the total sales price of all property, the use, storage or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to said taxes and the amounts thereof as the State Department of Revenue may require. Any person subject to the taxes

levied herein may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding and shall pay the taxes due thereon at the time of filing such report. All reports and returns filed with the State Department of Revenue under this sub-section shall be available for inspection by the governing body of Lauderdale County, or its designated agent, at reasonable times during business hours. The State Department of Revenue shall have full right, power and authority for the use and benefit of Lauderdale County and the City of Florence, as the case may be, to collect the taxes herein levied and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales and use tax. The State Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes levied by this Act and otherwise to enforce the provisions of this Act, including any litigation involving this Act, and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it hereunder. The State Department of Revenue shall charge Lauderdale County and the City of Florence, respectively, for collecting the respective special county and city taxes herein levied such amount or percentage of total collections as may be agreed upon by the Commissioner of Revenue and the governing body of Lauderdale County, but such charge shall not in any event exceed five per cent of the total amount of the special city and county taxes collected hereunder. Such charge for collecting said taxes may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due the designated recipients of such taxes for that month. The Commissioner of Revenue shall pay into the state treasury all taxes collected under this Act as such taxes are received by the Department of Revenue. On or before the fifth day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder) the Commissioner shall certify to the State Comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Lauderdale County and the City of Florence respectively during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of said taxes paid into the state treasury during each month for the benefit of Lauderdale County and the City of Florence respectively, the Commissioner may deduct from the said taxes collected in said month the charges due the department for such collection. (c) If the governing body of Lauderdale County elects to invoke the provisions of preceding sub-section (b) of this section for the collection of the taxes herein levied and thereafter determines to discontinue availing itself of the alternative methods prescribed by preceding sub-section (b) of this section for the collection of the taxes herein levied it shall adopt a resolution so declaring and file a certified copy thereof with the Department of Revenue, whereupon the duties imposed upon the Commissioner of Revenue, the State Department of Revenue and the State Comptroller hereby shall terminate as of the 1st day of the month next following the expiration of thirty (30) days from the date of the filing with the State Department of Revenue of such certified copy and thereupon the provisions of preceding sub-section (a) of this section shall be automatically effective."

Section 6. Section 8 of Act 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 8. (a) In the event the provisions of sub-section (a) of Section 7 of this Act are utilized for the collection of the taxes herein levied, the Probate Judge of Lauderdale County shall at monthly intervals pay over any monies collected by him from such taxes, less his expense and compensation as hereinbefore provided, to the Lauderdale County Board of Education, and the City Board of Education in the same proportions as the school funds allocated by the State of Alabama to Lauderdale County, and the City of Florence, are now or may hereafter be divided. (b) In the event the alternative methods prescribed by sub-section (b) of Section 7 of this Act are utilized for the collection of the taxes herein levied, it shall be the duty of the State Comptroller in his official capacity to issue his warrant each month in collective total amount equal to the total amount certified and paid into the state treasury by the Commissioner of Revenue during the month immediately preceding under the provisions of this Act payable to the Custodian of Public School Funds, Lauderdale County, Alabama, who shall forthwith pay over such funds to the Lauderdale County Board of Education and the Florence City Board of Education in the same proportions as the school funds allocated by the State of Alabama to Lauderdale County and the City of Florence are now or may be hereafter divided."

Section 7. Section 10 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 10. In event the taxes herein levied are being collected by and paid to the Probate Judge of Lauderdale County under the provisions of this Act, the taxes herein levied shall be due and collectible at the times and manner and as set out in the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, and amendments thereto, and all of the methods and provisions given to the State of Alabama as to the collection of said taxes under the provisions of the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, and amendments thereto, are given hereby to Lauderdale County and the City of Florence as to the taxes hereby levied."

Section 8. All laws or parts of laws in conflict with any provision of this Act are hereby repealed.

Section 9. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of:

REGULAR SESSION
30th Day

3581

STATE OF ALABAMA LAUDERDALE COUNTY Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit: Relating to Lauderdale County; to further amend Sections 1, 2, 3, 4, 7, 8 and 10 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 6, 13, 19, and 26, 1973.

BILL HARRISON.

Sworn to before me this 26th day of July, 1973.

WALLACE E. OWEN, JR.,
Notary Public,

My Commission Expires December 13, 1976.

By Mr. McDonald:

H. 2180. Relating to counties having a population of not less than 53,000 nor more than 55,000, based on the last Federal decennial census.

Local Legislation No. 1.

By Mr. McDonald:

H. 2181. Relating to counties having a population of not less than 53,000 nor more than 55,000, based on the last Federal decennial census.

Local Legislation No. 1.

By Messrs. Robertson and Culver:

H. 2182. To authorize employees of any county having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census, and employees of any municipality within such county to join a labor union; to provide that no employer shall require such employee to abstain or refrain from membership as a condition of employment and to provide damages.

Local Legislation No. 1.

By Mr. Barkett:

H. 2183. To amend the title and Section 1 of Act 149, H. 627, Regular Session 1969 (Acts 1969, p. 426), which provides for compensation and expense allowance for the county governing body in certain counties classified on a population basis.

Local Legislation No. 1.

By Mr. Barkett:

H. 2184. To amend Sections 1, 2, and 3 of Act No. 1856, H. 2614 Regular Session 1971, (Acts 1971, Page 3012), which provides for further regulating the days, hours, and places of meetings of the board of registrars in counties with a population of not less than 52,500 or more than 54,000, and setting the compensation of it's members, requiring forfeiture of certain

compensation for violations, repealing conflicting laws and specifically repealing Act No. 128, H. 366, Regular Session 1969 (Acts 1969, P. 403).

Local Legislation No. 1.

By Messrs. Cauthen and Slate:

H. 2185. To provide for the attendance of witnesses from outside the State in criminal proceedings and to provide for the summoning of such witnesses and the arrest and service of process; and to provide for the repeal of all laws in conflict; and to provide an effective date.

Judiciary.

By Mr. May:

H. 2186. Relating to the boards of registrars in counties having populations of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census, providing an additional expense allowance for the members of such boards.

Local Legislation No. 1.

By Messrs. Grainger, Lutz, King, Hearn and Hale (With Notice and Proof):

H. 2187. To provide an expense allowance for the Chairman of the Madison County Commission; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

Local Legislation No. 4.

Notice and Proof H. 2187:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To provide an expense allowance for the Chairman of the Madison County Commission; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

Be It Enacted by the Legislature of Alabama:

Section 1. The Chairman of the Madison County Commission shall receive an allowance for expenses in the amount of \$4,500.00 per annum, which expense allowance shall be payable in equal monthly installments by proper warrant drawn on the General Fund of the county. This expense al-

REGULAR SESSION
30th Day

3583

lowance shall be in addition to any expense allowance or other entitlement presently received by said officer and supplemental to any such allowance or entitlement.

Section 2. Said allowance shall be received by said officer heretofore named during the current term of office of said officer. At the expiration of the present term of said officer named herein and with the commencement of the next term of said officer named herein the compensation paid said officer as salary shall be increased by the amount of the expense allowance herein granted and the expense allowance herein provided shall terminate. Any expense allowance or other entitlement allowed by law to be paid to said officer herein named prior to the passage of this Act shall continue to be paid to said officer.

Section 3. All laws or parts of laws which conflict with this Act are replaced.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 13, 20, 27, and August 3, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 3rd day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Grainger, Hale, Lutz, King and Hearn:

H. 2188. Relating to counties having a population of not less than 175,000 nor more than 300,000; providing salary increase for the sheriff of such counties.

Local Legislation No. 4.

By Messrs. King, Hearn, Lutz, Grainger and Hale (With Notice and Proof):

H. 2189. To change the compensation of the tax collector of Madison County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 2189:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be intro-

duced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the compensation of the tax collector of Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax collector of Madison County, Alabama, shall receive as compensation a salary of \$20,000.00 per annum, which shall be payable in equal monthly installments by proper warrant drawn on the General Fund of said county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective as to said officer named herein upon the expiration of the current term for which such officer has heretofore been elected or appointed and at the commencement of the next term of said office.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 18, 25, August 1 and 8, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 8th day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Parker and Culver:

H. 2190. Relating to any county having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census; to further regulate the compensation and expense allowances of the sheriff.

Local Legislation No. 1.

By Messrs. Parker and Culver:

H. 2191. Relating to any county having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent fed-

REGULAR SESSION
30th Day

3585

eral decennial census; to further regulate the compensation and expense allowances of each member of the county governing body.

Local Legislation No. 1.

By Messrs. Hearn, Lutz, Grainger, King and Hale (With Notice and Proof):

H. 2192. To change the compensation of the tax assessor of Madison County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 2192:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the compensation of the tax assessor of Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Madison County, Alabama, shall receive as compensation a salary of \$20,000.00 per annum, which shall be payable in equal monthly installments by proper warrant drawn on the General Fund of said county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective as to said officer named herein upon the expiration of the current term for which such officer has heretofore been elected or appointed and at the commencement of the next term of said office.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 18, 25, August 1 and 8, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 8th day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. King, Hearn, Grainger, Lutz and Hale (With Notice and Proof):

H. 2193. To provide an expense allowance for the Probate Judge of Madison County, Alabama; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

Local Legislation No. 4.

Notice and Proof H. 2193:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To provide an expense allowance for the Probate Judge of Madison County, Alabama; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

Be It Enacted by the Legislature of Alabama:

Section 1. The Probate Judge of Madison County, Alabama, shall receive an allowance for expenses in the amount of \$3,500.00 per annum, which expense allowance shall be payable in equal monthly installments by proper warrant drawn on the General Fund of the county. This expense allowance shall be in addition to any expense allowance or other entitlement presently received by said officer and supplemental to any such allowance or entitlement.

Section 2. Said allowance shall be received by said officer heretofore named during the current term of office of said officer. At the expiration of the present term of said officer named herein and with the commencement of the next term of said officer named herein the compensation paid said officer as salary shall be increased by the amount of the expense allowance herein granted and the expense allowance herein provided shall terminate. Any expense allowance or other entitlement allowed by law to be paid to said officer herein named prior to the passage of this Act shall continue to be paid to said officer.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

REGULAR SESSION
30th Day

3587

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 13, 20, 27, and August 3, 1973.

W. C. LEWIS,
Secretary-Treasurer

Sworn to and subscribed before me this the 3rd day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Hearn, Lutz, Grainger, King and Hale (With Notice and Proof):

H. 2194. To provide an expense allowance for each member of the Madison County Commission, except for the Chairman thereof; to provide that the salary of said officers named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officers.

Local Legislation No. 4.

Notice and Proof H. 2194:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide an expense allowance for each member of the Madison County Commission, except for the Chairman thereof; to provide that the salary of said officers named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officers.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Madison County Commission, except for the Chairman thereof, shall receive an allowance for expenses in the amount of \$3,500.00 per annum, which expense allowance shall be payable in equal monthly installments by proper warrant drawn on the General Fund of

the county. This expense allowance shall be in addition to any expense allowance or other entitlement presently received by said officers and supplemental to any such allowance or entitlement.

Section 2. Said allowance shall be received by said officers heretofore named during the current term of office of said officers. At the expiration of the present term of said officers named herein and with the commencement of the next term of said officers named herein the compensation paid said officers as salary shall be increased by the amount of the expense allowance herein granted and the expense allowance herein provided shall terminate. Any expense allowance or other entitlement allowed by law to be paid to said officers herein named prior to the passage of this Act shall continue to be paid to said officers.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 13, 20, 27, and August 3, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 3rd day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 2195. Pertaining to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; establishing, subject to a referendum, a Charter Commission for the purpose of proposing a Charter for the consolidation of such counties and the municipalities situated therein; fixing the powers and duties of said Commission, providing for its membership and the payment of expenses.

Local Legislation No. 4.

By Messrs. Crowe and Naramore:

H. 2196. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, abolishing the Board of Revenue, establishing in lieu thereof a commission and providing for election of a president and members of said commission for the nomination of members thereof from districts herein

prescribed and to prescribe the functions, jurisdiction, powers, and duties of such commission and the president and members thereof.

Local Legislation No. 1.

By Mr. Crowe:

H. 2197. To amend Section XII of Act No. 399, 1969 Acts of Alabama (page 783) entitled "An act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining, to provide for permit fees, bonds and conditions for forfeiture thereof, to set up a Surface mining and Reclamation Fund for administration of Act.

Commerce and Transportation.

By Mr. Casey:

H. 2198. To propose an amendment to the Constitution of Alabama affecting public officers and relating to dual office holding, disqualification by conviction of a crime, regulating compensation of public officers, and to provide a method of changing the basis of compensating county officials; and for the repeal of sections 60, 280, 281, and amendment 92 of the Constitution of Alabama of 1901 as amended.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Casey:

H. 2199. To repeal Act No. 165, H. 130, Third Special Session of 1971, (Acts 1971, p. 4413) entitled, "Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties."

Local Legislation No. 1.

By Messrs. Smith (P), Roberts, Lutz, Carter, King, Culver, Reed (T), Downing, Collins, McDonald, Carnes, Kinsey, Waggoner, Stokes, May, Adams, Boles, Casey, Lang, Slate, McCluskey, Boutwell, Turnham, Brassell, Taylor, Porter, Williams, Cauthen, Hill, Grainger, Flippo, Chesnut, Barkett, Wise, Therrell, Owens, Nettles, Callahan, Benton, Coshatt, Wood, Bank, Smith (K), Turner, Drake, Parker, Robertson, Snell, Waldrop, Cottingham, McNair, McBride, Harris, Hobbie, Barron, Manley, Cross, Hale, Reid (R), Mims, O'Daniel, Wynot, Grey (D), Warren, Erdreich, Crowe, Bowers, Timmons, Falkenburg, Edwards, Hardin, Goodwin, Reynolds, Hearn, Hughes, Jones (F), Meeks, Adwell, Stewart, Doss, Easters, Naramore and St. John:

H. 2200. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it, and to provide for the holding of an election for the ratification or rejection of such revision.

Constitution and Elections.

By Messrs. Smith (P), Mims, Warren, Benton, Kinsey, Hardin, Bassett and May:

H. 2201. To make a conditional appropriation to the Department of Agriculture and Industries.

Ways and Means.

By Mr. Stubbs:

H. 2202. To authorize the county governing body in each county having a population of not less than 37,000 nor more than 39,000 according to the most recent federal decennial census, to appropriate not more than \$1.00 per week per prisoner sentenced to hard labor in such counties as a weekly allowance for such prisoners.

Local Legislation No. 1.

By Mr. Hobbie:

H. 2203. To provide for the salary of the chief of police for cities having populations of not less than 70,000 nor more than 135,000 inhabitants according to the most recent federal decennial census.

Local Legislation No. 4.

By Messrs. Carter, O'Daniel, Cross, Cauthen and Bank:

H. 2204. To provide that access roads to regularly open tourist attractions selected as Natural Landmarks, National Historic Landmarks, or for the National Register of Historic Places by the United States Department of Interior be designated as state highways upon recommendation of the Alabama Historical Commission, with concurrence of the Highway Department and the Bureau of Publicity and Information and be brought up to state highway standards and maintained by the State.

Conservation.

By Messrs. Carter and Cross:

H. 2205. Relating to all counties having a population of not less than 39,500 nor more than 41,750 according to the last or any subsequent federal decennial census; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

Local Legislation No. 1.

By Mr. McDonald:

H. 2206. Relating to any county having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; granting the county commission, at county expense, the power to authorize work for any municipality in such county in regard to public airports, public schools or work in connection with the building of roads and site preparation for new industry in such county.

Local Legislation No. 1.

By Mr. Parker:

H. 2207. Relating to any county having a population of not less than 115,000 nor more than 150,000, according to the most recent federal de-

REGULAR SESSION
30th Day

3591

cennial census; regulating further the compensation of each bailiff of the circuit court.

Local Legislation No. 1.

By Mr. Snell:

H. 2208. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

Local Legislation No. 1.

By Mr. Snell:

H. 2209. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

Local Legislation No. 1.

By Mr. Smith (K):

H. 2210. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 33,550 and not more than 34,000 according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Porter and Chesnut:

H. 2211. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Headley:

H. 2212. To further amend Section 1 of Act No. 186, H. B. 241, First Special Session 1964 (Acts 1964, p. 252), as amended, which act regulates the pay of jurors in any county having a population of not less than 25,150 nor more than 26,500 inhabitants according to the most recent federal decennial census, so as to further regulate the compensation of such jurors.

Local Legislation No. 1.

By Messrs. Williams, Porter and Chesnut:

H. 2213. To re-divide the state into judicial circuits so as to create a

Thirty-eighth Judicial Circuit consisting of Jackson County and to create a new judgeship and a new district attorney's position.

Local Legislation No. 1.

By Messrs. Wallace, Timmons, Boles, Adwell, Erdreich, Doss, Boutwell and Ellis (With Notice and Proof):

H. 2214. To accord relief to C. D. Chiles by providing as follows: That the Pension Board, established by Act No. 929 of the Regular Session of the Legislature of 1951 (Alabama Acts, 1951, page 1579), herein called "The Pension Act," shall reconsider its decision rendered on or about February 9, 1959, denying to Chiles the extraordinary disability benefit provided for by Section 14 of the Pension Act, claimed by him, for service-connected disability, and granting to him the ordinary disability benefit, provided by said Section 14; providing that the Board on such reconsideration shall consider the following evidence: (1) the opinion of the city physician and any other medical testimony available; and (2) any other available evidence which is material to the question of whether Chiles was entitled to the extraordinary disability allowance; to provide that if, after considering such evidence, the Board determines that Chiles was entitled to the extraordinary disability benefit, then the following relief shall be accorded Chiles: commencing with the first calendar month following the date of such determination by the Board, there shall be paid to Chiles from the Pension Fund established by the Pension Act the extraordinary disability benefit, provided for by Section 14 of the Pension Act, instead of the ordinary disability benefit, provided for by said Section; and there shall be paid retroactively for the period stated below to Chiles such extraordinary disability benefit, instead of the ordinary disability benefit, which retroactive payment shall be for the period between the date whereon payment of such ordinary disability benefit began and the first day of the first calendar month next succeeding the date whereon the Board makes such determination, which retroactive payment shall be accomplished by paying to Chiles for each month during the period next above mentioned an amount equal to the difference between the monthly benefit Chiles actually received as the ordinary disability benefit during said period and the amount which the said Chiles would have received as the extraordinary disability benefit, provided for by Section 14 of the Pension Act had Chiles been receiving the extraordinary benefit during all of said period.

Local Legislation No. 2.

Notice and Proof H. 2214:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for the adoption of a law, hereinafter called "the proposed law", which will provide for the relief of C. D. Chiles in the respects stated below.

As herein used, the term "Act 929" means Act No. 929 of the Regular Session of the Legislature of Alabama of 1951 (Ala. Acts of 1951, p. 1579); "the pension system" means the pension system Act 929 established; "ordinary disability benefit" means the ordinary disability benefit for which Section 14 of Act 929 provides; "extraordinary disability benefit" means the extraordinary disability benefit for which Section 14 of Act 929 provides; and "the fund" means the pension fund for which Act 929 provides.

REGULAR SESSION
30th Day

3593

The proposed law will provide for the relief of C. D. Chiles in the respects below stated.

The Board of Managers of the pension system granted to C. D. Chiles an ordinary disability benefit for which Section 14 of Act 929 provides, with the benefit commencing on February 9, 1959.

In brief, the difference between the two disability benefits, above mentioned, is that the ordinary disability benefit is for a disability not service-connected and the extraordinary disability benefit is for a service-connected disability.

Chiles applied for the extraordinary disability benefit. The undisputed medical testimony presented to the Board of Managers of the pension system clearly established that Chiles' disability arose from his performance of his duties in the fire department.

The proposed law would grant to said Chiles the extraordinary disability benefit, for which Section 14 of Act 929 provides, commencing on February 9, 1959, and the proposed law would make such extraordinary disability benefit effective retroactive to February 9, 1959, and effective also in the future. The proposed law would provide for there to be paid, for and with respect to each monthly benefit paid between February 9, 1959, and the dates whereon payments under the proposed law will commence the difference between the monthly benefit Chiles actually received and the monthly benefit Chiles would have received if during all of said period the extraordinary disability benefit provided for by Section 14 of Act 929 had been payable to Chiles.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, And that there was published in said newspaper in the issues of July 14, 21, 28, August 4, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 6th day of August, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Mr. Owens:

H. 2215. To amend further Section 91 of Title 36, Code of Alabama (1940), which authorizes the Director of the Highway Department to issue special permits for movement of certain oversized and overweight vehicles and loads on the State Highway system and to collect fees for the issuance of such permits.

Highway Safety.

By Mr. Owens:

H. 2216. To amend further Section 5 of Act No. 704, H. 475, 1951 Regular Session (Acts 1951, p. 1228), as amended, known as the Motor Vehicle Safety-Responsibility Act, so as to correct certain clerical errors in amendatory Act No. 578, H. 355, 1965 Regular Session.

Highway Safety.

By Mr. McCorquodale:

H. 2217. Relating to all counties having a population of not less than 26,000 nor more than 26,800 according to the most recent federal decennial census, providing that the Judge of Probate of said counties may elect to become exempt from the provisions of Act No. 606, S. 112, Regular Session 1969.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 2218. Relating to all counties having a population of not less than 16,350 nor more than 16,650 according to the most recent federal decennial census, providing that the Judge of Probate of said counties may elect to become exempt from the provisions of Act No. 606, S. 112, Regular Session 1969.

Local Legislation No. 1.

By Mr. Stubbs:

H. 2219. To propose an amendment to the Constitution of Alabama that would authorize the governing body of Shelby County, Alabama to form districts within Shelby County for the establishment and maintenance of a system for fighting and preventing fires; for the collection and disposal of trash; for supplying water services; for the collection and treatment and disposal of sewage; for the operation of emergency medical services including ambulance services; and for other similar local type services; and to provide for the administration of such services within such districts including the levy and collection of charges for such services.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Stubbs:

H. 2220. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; authorizing the sheriff of any such county to temporarily release certain prisoners held in the county jail for work at his discretion, and to provide for the allocation of all payment received by such prisoners for said work to the juvenile court of any such county.

Local Legislation No. 1.

By Mr. Roberts:

H. 2221. Relating to revenue, exempting the Alabama chapter of The Myasthenia Gravis Foundation, Inc. from the state sales and use taxes.

Ways and Means.

By Mr. O'Daniel:

H. 2222. Relating to all counties having populations of not less than 30,000 nor more than 33,575; providing for the compensation of bailiffs; and providing that the provisions of this act shall be given retroactive effect to January 1, 1973.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Ellis, Reed (T), Barron, Wynot, Turnham, Hale, Erdreich, McDonald, Goodwin, Boles, Bank, Stokes, McBride, Crowe and Wood:

H. R. 199. WHEREAS, It has been brought to our attention that South Carolina has adopted a pilot program for a broad, new educational concept called "The Voluntary Quinmester Plan"; and,

WHEREAS, This plan is a program which divides a normal 180 day school year into four periods of time, called "Quins" (short for quinmester). The old summer school session is replaced by a fifth quin. Each subject is designed so that final credit is earned during that nine-week period. Each course has a final grade, and the student earns as many quin units as he has completed courses during the year. Each student must attend four out of five quins during the year; and, should he desire, may attend all five and qualify for early graduation. And,

WHEREAS, This program has been successful in other places such as Miami, Florida (Dade County school system) and allows flexibility for curriculum scheduling vacation of the family, and allows the student much better selection of courses; and

WHEREAS, This proposed quinmester plan also makes better utilization of school buildings and facilities;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE EDUCATION COMMITTEE, after due consideration and study of the quinmester plan, that the Alabama State Department of Education, under the direction of the State Superintendent of Schools, is hereby requested to make a thorough study of this proposed plan and make recommendations based on the observation of the four school districts' pilot program in South Carolina, and such other school districts as desired, and make a report of its findings to this Committee and the State Board of Education.

BE IT FURTHER RESOLVED That this study be made as soon as feasible to gain accurate data on which this Committee and the State Board of Education can base a decision to implement such a pilot program for Alabama.

The resolution, H. R. 199, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Lyons:

H. J. R. 200. AUTHORIZING TWO MEMBERS FROM BOTH THE HOUSE AND SENATE COMMITTEES ON INSURANCE TO AT-

TEND THE ANNUAL MEETING OF THE CONFERENCE OF INSURANCE LEGISLATORS IN ATLANTA.

WHEREAS the Conference of Insurance Legislators' Annual Meeting will be held October 21-24, 1973, in Atlanta; and

WHEREAS it would be of great benefit to the House and Senate Committees on Insurance for certain of their members to attend said conference and report back on major insurance issues; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the presiding officer of both the House and the Senate may appoint two members each from the Committee on Insurance of their respective house to attend the annual meeting of the Conference of Insurance Legislators in Atlanta to be held October 21-24, 1973.

BE IT FURTHER RESOLVED, That all reasonable and necessary expenses incurred by said members in attending said meeting will be paid out of any funds appropriated to the use of this Legislature.

The resolution, H. J. R. 200, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Owens:

H. J. R. 201.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to study insurance rates and premiums in this state. Such committee shall be composed of five members of the House of Representatives who shall be members of the House standing committee on insurance and who shall be appointed by the Speaker of the House and four members of the Senate who shall be members of the Senate standing committee on insurance and who shall be appointed by the Lieutenant Governor. The committee shall select its own chairman and vice-chairman. Five members shall constitute a quorum.

It shall be the duty of the committee to meet as soon as practicable after the approval date of this resolution and upon the call of the chairman to study the existing programs of insurance which are available to citizens of this state, including but not limited to rates, premiums, benefits, services and all features relating to insurance coverage, with particular emphasis upon casualty line insurers furnishing liability and physical damage coverage. The committee shall further seek the advice, assistance and cooperation of the State Insurance Department and representatives of the insurance industry to the end that state government and insurers may unite and coordinate their efforts in doing everything possible to up-grade insurance benefits at reduced costs for the citizens of Alabama.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The total expenditures of the committee in any fiscal year shall not exceed forty-eight hundred dollars, inclusive of per diem legislative pay.

REGULAR SESSION
30th Day

3597

The committee shall report its findings, conclusions and recommendations to the legislature not later than the fifth legislative day of the 1975 Regular Session, whereupon the committee shall be dissolved.

The resolution, H. J. R. 201, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Carter and Cross:

H. J. R. 202. GIVING TRIBUTE TO THE LIFE OF JAMES EDWIN HORTON, JR.

WHEREAS this body wishes to pay tribute to the life of James Edwin Horton, Jr. who passed away in 1972 after a long and distinguished legal and political career; and

WHEREAS James Edwin Horton, Jr. labored in the vineyard of the law after his graduation from Cumberland University Law School. He was appointed Chancellor of Circuit Judges in 1916 by Governor Charles Henderson. He was the senior partner of Horton and Patton from 1918 to 1922 and served as the Circuit Judge of Limestone, Morgan, Cullman and Lawrence Counties from 1922 to 1934; and

WHEREAS he contributed greatly to the political life of his time by serving on the County Democratic Committee for many years. His concern for his fellowmen led to service in the State Legislature. Mr. Horton served as a Representative from Limestone County from 1911 to 1915 whereon he served as the Senator from Limestone and Lauderdale Counties from 1915 to 1916. His activities in the Democratic Party led to participation in two national conventions, at Houston, Texas and Baltimore, Maryland; and

WHEREAS James Edwin Horton, Jr. was a true southern gentleman, and a genuine statesman, whose advice and counsel was sought by people in all walks of life; he was of a kindly disposition and devoted his life to the betterment of mankind; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to honor the memory of James Edwin Horton, Jr. as a member of that large body of good men who dedicate their lives to public service and to the general good of mankind.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 202, on the Clerk's desk for one legislative day.

Also:

By Mr. Smith (P):

H. J. R. 203. THANKING THOSE RESPONSIBLE FOR THE PORK PRODUCERS' BARBECUE

WHEREAS on Tuesday, August 14, the members of the Legislature and their staff were royally entertained with a delicious barbecue sponsored by

the Alabama Pork Producers, a division of the Alabama Farm Bureau Federation; and

WHEREAS the Pork Producers presented a registered Yorkshire gilt, appropriately named "Fillibuster," to Senator George Lewis Bailes, Jr.; and

WHEREAS those responsible for the planning of the events, including Mr. Jack McGauhy, Mr. L. O. Bishop, and Mr. Milton Parsons, did an excellent job; and

WHEREAS a member of this body, Representative Maston Mims, and Mrs. Mims worked long and hard to prepare this excellent barbecue; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily thank those responsible for this memorable event.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the Alabama Pork Producers' division of the Alabama Farm Bureau Federation, Mr. Jack McGauhy, Mr. L. O. Bishop, Mr. Milton Parsons and Representative and Mrs. Maston Mims.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 203, on the Clerk's desk for one legislative day.

Also:

By Mr. Turnham:

H. J. R. 204. MOURNING THE DEATH OF MILLIGAN EARNEST.

WHEREAS Milligan Earnest, 60, Opelika Postmaster and a prominent resident of the Farmville community, died recently; and

WHEREAS Milligan Earnest, a native of Birmingham, had lived in Lee County since he was six years old; and

WHEREAS Milligan Earnest was a former Lee County Commissioner, having been appointed to the post first in 1947 to fill a vacancy and served in this capacity until named Opelika postmaster 10 years ago; and

WHEREAS Milligan Earnest was a member of the Opelika Rotary Club and was very active in Farmville Baptist Church where he served as deacon for many years; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body mourns the sudden death of Milligan Earnest, and sends sincere condolences to the members of his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Margaret Bradley Earnest and family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 204, on the Clerk's desk for one legislative day.

Also:

By Mr. Turnham:

H. J. R. 205. COMMENDING DR. BURIS R. BOSHELL.

WHEREAS Dr. Buris R. Boshell, Professor of Medicine, University of Alabama School of Medicine since 1964, has made outstanding contributions to mankind, particularly in the fields of research, diagnosis and treatment of diabetes, hypoglycemia and related diseases; and

WHEREAS Dr. Boshell, native of Bear Creek, Alabama, graduated from Phillips High School there, received his B. S. degree in Agricultural Science from Auburn University where he also had two years of veterinary medicine, had two years of medicine at the University of Alabama School of Medicine, and later studied at the Harvard Medical School, from which institution he received his M.D. degree in 1953; and

WHEREAS Dr. Boshell did both his internship and residency at the Peter Bent Brigham Hospital in Boston, Massachusetts, during two years of which time he was Research Fellow in Medicine at Harvard Medical School, and was subsequently made Chief Medical Resident Physician at Peter Bent Brigham, while fulfilling teaching appointments, including Assistant in Medicine, in conjunction with Harvard Medical School; and

WHEREAS the University of Alabama School of Medicine was indeed fortunate in 1959 in being able to add Dr. Boshell to its teaching staff where he has so ably filled positions of increasing responsibility; and

WHEREAS Dr. Boshell is the author of two books, has authored or co-authored 69 publications and 21 abstracts, has contributed chapters in his specialized field to books of others; and has submitted additional treatises for publication in the future; and

WHEREAS Dr. Boshell holds membership in numerous professional and scientific societies, is a nationally recognized authority in his field, was named President, Alabama Diabetes Association, 1962-1963, was given the First Annual Ruth L. Hanson Award of the Lay Diabetes Association in 1965, and the Alumni Achievement Award from Auburn University Chapter, Omicron Delta Kappa in 1968; and

WHEREAS Dr. Boshell is a breeder and exhibitor of Tennessee walking horses, is editor of "The Miniature Pinscher", is author of numerous articles on dogs, is a breeder of 75 Min Pin champions, is a licensed judge of the American Kennel Club, and during 1971-1972 was invited to judge at 7 divergent places from Madison Square Garden to Sydney, Australia; and

WHEREAS Dr. Boshell and his most attractive wife, Martha Sue are the parents of two fine children Patricia, 15 and Thomas, 10; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Dr. Boshell for his outstanding contributions to mankind and for his effective efforts to alleviate human suffering. We are grateful to him for his exhaustive research and study which have enabled him to transfer his knowledge through his prolific writings to his colleagues and through his teaching to physicians of the future; and we are particularly proud of the fact that he is a native son of Alabama to which state he chose to return.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Boshell and to the University of Alabama School of Medicine.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 205, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Clark:

S. 190. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Eufaula in Barbour County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

Beginning at the present city limit line on U.S. 431 North, (the North line of Sec. 29, T11N, R29E) thence along U.S. 431 to include an area 500 ft. each side of U.S. 431 to Cowikee Creek and also including the N. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$, Sec. 16, T11N, R29E, and the following areas as recorded in the Probate office of Eufaula, Ala.: Northside Estates Subdivision, Map Book 2, page 19 Level Acres Mobile Estates, Deed Book FF, page 517 Weedon Field Airport being more particularly described as follows; beginning at the point where the South line of Sec. 9, T11N, R29E, intersects the West R/W of U. S. 431; thence West along said Sec. line 1120 ft; thence North 1058 ft; thence North 55 deg. West 1740 ft; thence North 1 deg. 30 min. East 585 ft; thence West along the $\frac{1}{2}$ Sec. line of Sec. 9, T11N, R29E, 1350 ft. thence Northerly 900 ft. more or less; thence East 230 ft. more or less; thence Northerly 750 ft. more or less; thence East 450 ft. more or less; thence South 3 deg. 21 min. East 1900 ft. more or less; thence South 3 deg. 21 min. East 1900 ft. more or less; thence South 62 deg. East 1404 ft. to the West R/W line of U. S. 431; thence along said R/W in a Southerly direction 1830 ft. more or less to the point of beginning.

Lakepoint State Park:

Beginning at the intersection of the center line of Cowikee Creek and the old Riber Road; thence along the center of Cowikee Creek in a Southeasterly direction 12, 350 ft; thence North 750 ft; thence West 1050 ft; thence North 45 deg. West 700 ft; thence North 375 ft; thence West 250 ft; thence North 825 ft; thence North 30 deg. West 375 ft; thence West 275 ft; thence North 45 deg. West 825 ft; thence West 300 ft; thence North 2500 ft; thence North 89 deg. 6 min. West 883.4 ft; thence North 34 deg. 39 min. East 463.7 ft; thence North 34 deg. 38 min. East 1314.8 ft; thence North 46 deg. 48 min. East 495.1 ft; thence North 58 deg. 51 min. West 990.5 ft; thence North 46 deg. 3 min. West 1795.2 ft. to the half Sec. line of Sec. 27, T 12 N, R 29 E; thence along said half Sec. line in a Westerly direction 8800 ft. more or less to a permanent reference marker No. 93 in Sec. 28; thence South 1 deg. 17 min. West 200.8 ft; thence South 88 deg. 56 min. West 400 ft; thence South 1 deg. 17 min. West 300 ft; thence South 88 deg. 56 min. West 425 ft; thence South 1 deg. 17 min. West 425 ft; thence South 45 deg. 6 min. West 505.5 ft; thence South 1 deg. 17 min. West 2300 ft. more or less to the center of Cowikee Creek; thence along the center of said creek in a Southeasterly direction 2000 ft. more or less to the point of beginning.

Beginning at the present city limit line, the intersection of the centerline of U. S. 431 North and he Old Creek Town Road, (the North line of Sec. 29, T11N, R29E) thence along said Sec. line in an Easterly direction to include an area 500 ft. North of the Old Creek Town Road to the U. S. Government property line, and also to include the Old Creek Town Park property, being more particularly described as follows: Beginning at a U. S. Corps of Engineers Permanent Reference Monument No. PRM 21-D, being 2325 ft. North of and 4475 ft. East of the S. W. Corner of Sec. 21; thence North 30 deg. East 749.7 ft. to Monument No. 21-E; thence North 30 deg. East 105 ft. to the center of Reeves Branch; thence along the centerline meanders of the branch in a Southeasterly direction to the intersection of the normal lake pool elevation (elevation 190 ft. M. S. L. (THENCE along said pool contour line to its intersection with the Government fee simple line at Monument No. 28-M; thence North 56 deg. 7 min. West 1308.5 ft. to Monument No. 28-L; thence North 89 deg. 43 min. West 424.8 ft. to Monument No. 28-K; thence North 3 deg. 3 min. East 349.8 ft. to Monument No. 28-J; thence North 3 deg. 19 min. East 100.2 ft. to Monument No. 21-A; thence North 3 deg. 34 min. East 1774.9 ft. to Monument 21-B; thence South 89 deg. 43 min. East 899.9 ft. to monument 21-C; thence North 3 deg. 34 min. East 499.9 ft. to the point of beginning, containing 205 acres more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA,
BARBOUR COUNTY.

Before me, Sally G. Goff, a Notary Public in and for said State and County, personally appeared Joel Smith, who being sworn, deposes and says on oath, that he is the Publisher of The Eufaula Tribune, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: April 3, 10, 17 and 24, 1973.

JOEL P. SMITH,
Publisher.

Sworn to and subscribed before me this the 24th day of April, 1973.

SALLY G. GOFF,
Notary Public.

Also:

By Mr. Clark:

S. 191. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Eufaula in Barbour County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

Beginning at the present city limit line on U. S. 431 South (the South line of the North half of the S. E. $\frac{1}{4}$ of Sec. 18 T-10-N, R-29-E) thence South along U. S. 431 to include an area 500 ft. West of U. S. 431 to the U. S. Government property line at Cheneyhatchee Creek and all the area East of U. S. 431 to the U. S. Government property line lying in Sections 16, 17, and 20, T-10-N, R-29-E, EXCEPT LAKEWOOD SPBDIVISION which is recorded in the Probate office of Eufaula, Alabama in Map Book 2, page 5.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Sally G. Goff, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper four times, the same appearing in the issues dated: April 3, 10, 17, and 24, 1973.

JOEL P. SMITH,
Publisher.

REGULAR SESSION
30th Day

3603

Sworn to and subscribed before me this the 24th day of April, 1973.

SALLY G. GOFF,
Notary Public.

Also:

By Mr. Clark:

S. 192. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Eufaula in Barbour County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

Beginning at the present city limit line on the Clayton Highway (the West line of Sec 18, T10N, R29E) thence West along the Clayton highway to include an area 500 ft. on each side of the Clayton Highway to the Cottonhill Road and to include all of the following Subdivisions as recorded in the probate office of Eufaula: Mancusso Subdivision, Map Book 2, page 8; Taylor Subdivision, Map Book 1, page 95; Indian Hill Subdivision, Map Book 2, page 19.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Sally G. Goff, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper four times, the same appearing in the issues dated: April 3, 10, 17, and 24, 1973.

JOEL P. SMITH.

Sworn to and subscribed before me this the 24th day of April, 1973.

SALLY G. GOFF,
Notary Public.

Also:

By Mr. Clark:

S. 193. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF BARBOUR**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Eufaula in Barbour County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

All of Sections 25 and 36, T11N, R28E, All of Sec. 2, T10N, R28E, east of the center line of Barbour Creek. All of Sec. 1, T10N, R28E, North of the center line of Barbour Creek.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
BARBOUR COUNTY**

Before me, Sally G. Goff, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper four times, the same appearing in the issues dated: April 3, 10, 17 and 24, 1973.

JOEL P. SMITH.

Sworn to and subscribed before me this the 24th day of April, 1973.

SALLY G. GOFF,
Notary Public.

Also:

By Mr. Clark:

S. 194. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantiall as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Eufaula in Barbour County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

Beginning at the present city limit line on U. S. 82 West (the South line of Sec. 20, T11N, R29E) thence West along U. S. 82 to include an area 500 ft. each side of the center line of U. S. 82 to the North line of Sec. 19, T11N, R29E.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Sally G. Goff, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper four times, the same appearing in the issues dated: April 3, 10, 17 and 24, 1973.

JOEL P. SMITH,
Publisher.

Sworn to and subscribed before me this the 24th day of April, 1973.

SALLY G. GOFF,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 190. Local Legislation No. 1.
- S. 191. Local Legislation No. 1.

- S. 192. Local Legislation No. 1.
S. 193. Local Legislation No. 1.
S. 194. Local Legislation No. 1.

BILLS ON THIRD READING

And the bill:

H. 1275. Relating to all counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

S. 312. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Fairhope; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

Was taken up.

S. 312 POSTPONED

On motion of Mr. Benton, the bill, S. 312, was postponed to the thirty-first legislative day.

REGULAR SESSION
30th Day

3607

And the bill:

H. 1864. Relating to any counties having a population of not less than 39,500 nor more than 41,750, authorizing the county commission to set an expense allowance for county officials.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

S. 539. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Newton, Dale County, Alabama.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Callahan	Downing	Hardin
Adams	Carnes	Drake	Harris
Adwell	Carter	Edwards	Headley
Bank	Cauthen	Ellis	Hearn
Barkett	Chesnut	Erdreich	Hill
Barron	Collins	Falkenburg	Hobbie
Bassett	Connell	Fite	Hughes
Benton	Coshatt	Flippo	Jackson
Boles	Cottingham	Gafford	Jones (F)
Boutwell	Crawford	Goodwin	King
Bowers	Cross	Grainger	Kinsey
Brassell	Culver	Grey (D)	Lang
Burgess	Doss	Hale	Lutz

McCluskey	Naramore	St. John	Turner
McCorquodale	O'Daniel	Slate	Turnham
McDonald	Owens	Smith (K)	Waggoner
McMillan	Parker	Smith (P)	Waldrop
McNair	Perloff	Snell	Wallace
Manley	Porter	Stokes	Warren
Mathews	Pruitt	Stubbs	Williams
May	Reed (T)	Taylor	Wise
Meeks	Reynolds	Therrell	Wood
Merrill	Roberts	Timmons	Wynot
Mims	Robertson		

—94

And the bill:

H. 1196. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1647. Relating to Chambers County; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, providing for operation of their offices, and to allow the county governing body to pay certain allowances to county officers for expenses they incur to attend the conventions of their respective associations or in the conduct of other business for the county.

REGULAR SESSION
30th Day

3609

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1874. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Carnes	Edwards	Hearn
Adams	Carter	Ellis	Hill
Adwell	Cauthen	Erdreich	Hobbie
Bank	Chesnut	Falkenburg	Hughes
Barkett	Collins	Fite	Jackson
Barron	Connell	Flippo	Jones (F)
Bassett	Coshatt	Gafford	King
Benton	Cottingham	Goodwin	Kinsey
Boles	Crawford	Grainger	Lang
Boutwell	Cross	Grey (D)	Lutz
Bowers	Culver	Hale	McCluskey
Brassell	Doss	Hardin	McCorquodale
Burgess	Downing	Harris	McDonald
Callahan	Drake	Headley	McMillan

McNair	Parker	Smith (K)	Turnham
Manley	Perloff	Smith (P)	Waggoner
Mathews	Porter	Snell	Waldrop
May	Pruitt	Stokes	Wallace
Meeks	Reed (T)	Stubbs	Warren
Merrill	Reynolds	Taylor	Williams
Mims	Roberts	Therrell	Wise
Naramore	Robertson	Timmons	Wood
O'Daniel	St. John	Turner	Wynot
Owens	Slate		

And the bill:

H. 1876. To amend Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and authorizes, provides for and regulates certain procedures in such court before the Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County, amending the title and Section 1 of such Act so as: To provide that the same procedures may be followed in a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Acts 1971, p. 3907), if such a court is established, and that the Clerk of the Circuit Court shall serve Ex-Officio as Clerk of such Justice Court; and to provide that the Clerk shall be entitled to the fees prescribed so long as he is compensated on a fee basis, but that if the method of his compensation is changed to a salary basis, such fee shall continue to be collected and paid into the county treasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

REGULAR SESSION
30th Day

3611

And the bill:

H. 1893. Relating to Houston County; to prevent nepotism in county service, prohibiting any officer or employee of the county or county agencies from appointing persons related to him to any office or position of profit with the county or any agency thereof, and prescribing penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1894. Relating to Houston County; to provide for the compensation of the judge of probate in said county, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Flippo
Adams	Burgess	Cross	Gafford
Adwell	Callahan	Culver	Goodwin
Bank	Carnes	Doss	Grainger
Barkett	Carter	Downing	Grey (D)
Barron	Cauthen	Drake	Hale
Bassett	Chesnut	Edwards	Hardin
Benton	Collins	Ellis	Harris
Boles	Connell	Erdreich	Headley
Boutwell	Coshatt	Falkenburg	Hearn
Bowers	Cottingham	Fite	Hill

Hobbie	Manley	Reed (T)	Therrell
Hughes	Mathews	Reynolds	Timmons
Jackson	May	Roberts	Turner
Jones (F)	Meeks	Robertson	Turnham
King	Merrill	St. John	Waggoner
Kinsey	Mims	Slate	Waldrop
Lang	Naramore	Smith (K)	Wallace
Lutz	O'Daniel	Smith (P)	Warren
McCluskey	Owens	Snell	Williams
McCorquodale	Parker	Stokes	Wise
McDonald	Perloff	Stubbs	Wood
McMillan	Porter	Taylor	Wynot
McNair	Pruitt		

—94

And the bill:

H. 1919. Relating to Lauderdale County; authorizing the county commission to provide parking facilities near the county courthouse and to regulate parking on county property around the courthouse; providing penalties for violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1920. Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

REGULAR SESSION
30th Day

3613

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1921. Relating to Lauderdale County; authorizing the county commission to establish budgetary limits for the cost of operating all departments of county government and to fix and enforce policies, rules and regulations respecting holidays, vacations and sick leave for all county employees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Carter	Erdreich	Hughes
Adams	Cauthen	Falkenburg	Jackson
Adwell	Chesnut	Fite	Jones (F)
Bank	Collins	Flippo	King
Barkett	Connell	Gafford	Kinsey
Barron	Coshatt	Goodwin	Lang
Bassett	Cottingham	Grainger	Lutz
Benton	Crawford	Grey (D)	McCluskey
Boles	Cross	Hale	McCorquodale
Boutwell	Culver	Hardin	McDonald
Bowers	Doss	Harris	McMillan
Brassell	Downing	Headley	McNair
Burgess	Drake	Hearn	Manley
Callahan	Edwards	Hill	Mathews
Carnes	Ellis	Hobbie	May

30th Day

Meeks	Pruitt	Snell	Waggoner
Merrill	Reed (T)	Stokes	Waldrop
Mims	Reynolds	Stubbs	Wallace
Naramore	Roberts	Taylor	Warren
O'Daniel	Robertson	Therrell	Williams
Owens	St. John	Timmons	Wise
Parker	Slate	Turner	Wood
Perloff	Smith (K)	Turnham	Wynot
Porter	Smith (P)		

—94

And the bill:

H. 1922. To provide that the members of the board of registrars of Lauderdale County shall receive \$15.00 per day for their services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flipppo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2022. Relating to Winston County; authorizing and requiring the Judge of Probate of said county to hold an election for the purpose of annexing certain territory to the city of Haleyville, and prescribing the conduct of such election.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

REGULAR SESSION
30th Day

3615

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill:

H. 2025. To amend Section 2 of Act # 535, S. 528, regular session, 1965 (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensations of members of the County Commission of Bullock County, so as to provide a mileage allowance for the members of such Commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2028. To provide that the provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), which Act abolishes primary elections in all cities and towns having populations of less than 300,000 in Alabama, shall not apply to Etowah County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2030. Relating to Hale County; providing for the election and tenure of the members of the county board of education.

Was read a third time a length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Flippo
Adams	Burgess	Cross	Gafford
Adwell	Callahan	Culver	Goodwin
Bank	Carnes	Doss	Grainger
Barkett	Carter	Downing	Grey (D)
Barron	Cauthen	Drake	Hale
Bassett	Chesnut	Edwards	Hardin
Benton	Collins	Ellis	Harris
Boles	Connell	Erdreich	Headley
Boutwell	Coshatt	Falkenburg	Hearn
Bowers	Cottingham	Fite	Hill

REGULAR SESSION
30th Day

3617

Hobbie	Manley	Reed (T)	Therrell
Hughes	Mathews	Reynolds	Timmons
Jackson	May	Roberts	Turner
Jones (F)	Meeks	Robertson	Turnham
King	Merrill	St. John	Waggoner
Kinsey	Mims	Slate	Waldrop
Lang	Naramore	Smith (K)	Wallace
Lutz	O'Daniel	Smith (P)	Warren
McCluskey	Owens	Snell	Williams
McCorquodale	Parker	Stokes	Wise
McDonald	Perloff	Stubbs	Wood
McMillan	Porter	Taylor	Wynot
McNair	Pruitt		

—94

And the bill:

H. 2044. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2046. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to authorize such county to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicini-

ty of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2047. Amending Section 3 of Act No. 729, H. 598, Regular Session 1953 (Acts 1953, p. 985) which provides airport zoning regulations, so as to exclude counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bowers	Coshatt	Erdreich
Adams	Brassell	Cottingham	Falkenburg
Adwell	Burgess	Crawford	Fite
Bank	Callahan	Cross	Flippo
Barkett	Carnes	Culver	Gafford
Barron	Carter	Doss	Goodwin
Bassett	Cauthen	Downing	Grainger
Benton	Chesnut	Drake	Grey (D)
Boles	Collins	Edwards	Hale
Boutwell	Connell	Ellis	Hardin

REGULAR SESSION
30th Day

3619

Harris	McDonald	Porter	Taylor
Headley	McMillan	Pruitt	Therrell
Hearn	McNair	Reed (T)	Timmons
Hill	Manley	Reynolds	Turner
Hobbie	Mathews	Roberts	Turnham
Hughes	May	Robertson	Waggoner
Jackson	Meeks	St. John	Waldrop
Jones (F)	Merrill	Slate	Wallace
King	Mims	Smith (K)	Warren
Kinsey	Naramore	Smith (P)	Williams
Lang	O'Daniel	Snell	Wise
Lutz	Owens	Stokes	Wood
McCluskey	Parker	Stubbs	Wynot
McCorquodale	Perloff		

—94

And the bill:

H. 2050. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2053. To authorize the governing body of any county having a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census, or the governing body of any municipality within such county to establish within such county or within any mu-

municipality within such county ambulance service on a non-profit basis; to authorize such county to unite with any municipality within such county or two or more municipalities within such county, to unite with each other or together with such county, in the establishment of such ambulance service, making such service common for the use of such county or participating municipality or municipalities, and to permit the providing of such service by contract or otherwise; to authorize appropriations of public funds for such service by such county or any municipality within such county; to authorize the charging of fees for such ambulance service; and to exempt such county and any municipality within such county from tort liability while operating ambulances or providing ambulance service as authorized herein.

Was taken up.

H. 2053 POSTPONED

On motion of Mr. Coshatt, the bill, H. 2053, was postponed to the thirty-first legislative day.

And the bill:

H. 2057. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, to prohibit the discharge of litter, specifically bottles and cans, sewage and any other trash or debris into the waters of such counties; to provide for enforcement and penalties for violations of the provisions of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

REGULAR SESSION
30th Day

3621

And the bill:

H. 2058. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to prohibit during the hours between sundown and sunrise the discharge of a gas gun which produces an explosion to drive off birds or animals doing crop damage within a certain distance of the residence of any other person without that persons written consent; prescribing penalties for the violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2064. To permit the Court of County Commissioners, or any similar or successor governing body of Dallas County to supplement, from County funds, the salary of any Circuit Judge residing in said County and serving the Circuit Court of said County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Barron	Bowers	Carter
Adams	Bassett	Brassell	Cauthen
Adwell	Benton	Burgess	Chesnut
Bank	Boles	Callahan	Collins
Barkett	Boutwell	Carnes	Connell

30th Day

Coshatt	Hardin	Mathews	Smith (K)
Cottingham	Harris	May	Smith (P)
Crawford	Headley	Meeks	Snell
Cross	Hearn	Merrill	Stokes
Culver	Hill	Mims	Stubbs
Doss	Hobbie	Naramore	Taylor
Downing	Hughes	O'Daniel	Therrell
Drake	Jackson	Owens	Timmons
Edwards	Jones (F)	Parker	Turner
Ellis	King	Perloff	Turnham
Erdreich	Kinsey	Porter	Waggoner
Falkenburg	Lang	Pruitt	Waldrop
Fite	Lutz	Reed (T)	Wallace
Flippo	McCluskey	Reynolds	Warren
Gafford	McCorquodale	Roberts	Williams
Goodwin	McDonald	Robertson	Wise
Grainger	McMillan	St. John	Wood
Grey (D)	McNair	Slate	Wynot
Hale	Manley		

—94

And the bill:

H. 2065. To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2066. To make it a misdemeanor to pick wild sea oats on the beaches of counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census.

REGULAR SESSION
30th Day

3623

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2068. Applicable to any county having a population of not less than 24,500 nor more than 25,000 according to the last federal decennial census; to provide further for the sale of alcoholic beverages in hotels or motels of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gafford	Lutz
Adams	Collins	Goodwin	McCluskey
Adwell	Connell	Grainger	McCorquodale
Bank	Coshatt	Grey (D)	McDonald
Barkett	Cottingham	Hale	McMillan
Barron	Crawford	Hardin	McNair
Bassett	Cross	Harris	Manley
Benton	Culver	Headley	Mathews
Boles	Doss	Hearn	May
Boutwell	Downing	Hill	Meeks
Bowers	Drake	Hobbie	Merrill
Brassell	Edwards	Hughes	Mims
Burgess	Ellis	Jackson	Naramore
Callahan	Erdreich	Jones (F)	O'Daniel
Carnes	Falkenburg	King	Owens
Carter	Fite	Kinsey	Parker
Cauthen	Flippo	Lang	Perloff

30th Day

Porter	Slate	Therrell	Wallace
Pruitt	Smith (K)	Timmons	Warren
Reed (T)	Smith (P)	Turner	Williams
Reynolds	Snell	Turnham	Wise
Roberts	Stokes	Waggoner	Wood
Robertson	Stubbs	Waldrop	Wynot
St. John	Taylor		

—94

And the bill:

H. 2072. Applicable to any county having a population of not less than 55,500 nor more than 56,500 according to the last federal decennial census; to provide an additional compensation for the members of the board of registrars of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2073. Applicable to any county having a population of not less than 24,500 nor more than 25,000 according to the last federal decennial census; to provide for a deputy registrar for such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

REGULAR SESSION

3625

30th Day

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill:

H. 2075. To provide for the payment of expense allowances to members of the Board of Registrars, Jury Commission, and Board of Equalization of any county having a population of not less than 50,000 nor more than 52,500 according to the last federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2076. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; allowing establishments that presently have on premise licenses from the Alcoholic Beverage Control Board to sell draft beer without obtaining additional licenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

S. 442. To repeal Act No. 563, H. 705, Regular Session 1967 and Act No. 857, H. 1491, Regular Session 1971, which authorize the chairman or president of the county governing bodies of counties having a population of 15,400 to 15,625 to make expenditures from the county road, bridge and public building fund.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Benton	Carnes	Cottingham
Adams	Boles	Carter	Crawford
Adwell	Boutwell	Cauthen	Cross
Bank	Bowers	Chesnut	Culver
Barkett	Brassell	Collins	Doss
Barron	Burgess	Connell	Downing
Bassett	Callahan	Coshatt	Drake

REGULAR SESSION
30th Day

3627

Edwards	Hughes	Mims	Snell
Ellis	Jackson	Naramore	Stokes
Erdreich	Jones (F)	O'Daniel	Stubbs
Falkenburg	King	Owens	Taylor
Fite	Kinsey	Parker	Therrell
Flippo	Lang	Perloff	Timmons
Gafford	Lutz	Porter	Turner
Goodwin	McCluskey	Pruitt	Turnham
Grainger	McCorquodale	Reed (T)	Waggoner
Grey (D)	McDonald	Reynolds	Waldrop
Hale	McMillan	Roberts	Wallace
Hardin	McNair	Robertson	Warren
Harris	Manley	St. John	Williams
Headley	Mathews	Slate	Wise
Hearn	May	Smith (K)	Wood
Hill	Meeks	Smith (P)	Wynot
Hobbie	Merrill		

—94

And the bill:

S. 535. Relating to Talladega County; to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the State Superintendent of Banks, or of the Comptroller of the Currency to establish, maintain, and operate additional offices or places, in cities and towns wholly or partly in such county having not less than 1200 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

S. 605. To further amend Section 1 of Act No. 88, S. 224, Regular Session (Acts 1967, p. 420) which provides clerk hire allowance for certain county officers in certain counties classified on a population basis, so as to provide additional clerk hire.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

S. 606. To provide funds for clerical hire for the circuit clerk of all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Burgess	Culver	Grainger
Adams	Callahan	Doss	Grey (D)
Adwell	Carnes	Downing	Hale
Bank	Carter	Drake	Hardin
Barkett	Cauthen	Edwards	Harris
Barron	Chesnut	Ellis	Headley
Bassett	Collins	Erdreich	Hearn
Benton	Connell	Falkenburg	Hill
Boles	Coshatt	Fite	Hobbie
Boutwell	Cottingham	Flippo	Hughes
Bowers	Crawford	Gafford	Jackson
Brassell	Cross	Goodwin	Jones (F)

REGULAR SESSION
30th Day

3629

King	Meeks	Roberts	Timmons
Kinsey	Merrill	Robertson	Turner
Lang	Mims	St. John	Turnham
Lutz	Naramore	Slate	Waggoner
McCluskey	O'Daniel	Smith (K)	Waldrop
McCorquodale	Owens	Smith (P)	Wallace
McDonald	Parker	Snell	Warren
McMillan	Perloff	Stokes	Williams
McNair	Porter	Stubbs	Wise
Manley	Pruitt	Taylor	Wood
Mathews	Reed (T)	Therrell	Wynot
May	Reynolds		

—94

And the bill:

S. 715. Relating to counties having a population of not less than 35,000 nor more than 38,000 inhabitants according to the last federal decennial census; requiring all members, officers and employees of any chamber of commerce or of any committee, board, agency or subsidiary of any chamber of commerce in said county to be residents of the county.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1906. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376 et seq.) as heretofore amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579 et seq.) as amended,

which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1878. To amend Sections 279, 280, 282, 283, 284, 285, 288, and 289 of Title 62 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Callahan	Downing	Hardin
Adams	Carnes	Drake	Harris
Adwell	Carter	Edwards	Headley
Bank	Cauthen	Ellis	Hearn
Barkett	Chesnut	Erdreich	Hill
Barron	Collins	Falkenburg	Hobbie
Bassett	Connell	Fite	Hughes
Benton	Coshatt	Flippo	Jackson
Boles	Cottingham	Gafford	Jones (F)
Boutwell	Crawford	Goodwin	King
Bowers	Cross	Grainger	Kinsey
Brassell	Culver	Grey (D)	Lang
Burgess	Doss	Hale	Lutz

REGULAR SESSION
30th Day

3631

McCluskey	Naramore	St. John	Turner
McCorquodale	O'Daniel	Slate	Turnham
McDonald	Owens	Smith (K)	Waggoner
McMillan	Parker	Smith (P)	Waldrop
McNair	Perloff	Snell	Wallace
Manley	Porter	Stokes	Warren
Mathews	Pruitt	Stubbs	Williams
May	Reed (T)	Taylor	Wise
Meeks	Reynolds	Therrell	Wood
Merrill	Roberts	Timmons	Wynot
Mims	Robertson		

—94

And the bill:

H. 1727. Relating to all counties having populations of 600,000 or more according to the most recent federal decennial census; providing for the conversion of certain time spent in the employment of a county but not as a member of the county's retirement system, into paid membership time in the retirement system for county employees and officers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1827. (With Substitute): To authorize any county in Alabama having a population of 600,000 or more according to the most recent federal decennial census and any incorporated municipality situated therein to cooperate with other governmental subdivisions, public agencies, public corporations and authorities in the construction of new residential water mains and pipes of an approved public water supply system and the extension of presently existing approved public water supply system mains and pipes to all areas of

such county not presently served by an approved public water supply system; to authorize the costs of construction and installation of said mains and pipes, together with the costs of any improvements made thereon, or any portion of said costs, to be assessed against the property abutting on the streets, avenues, alleys, highways, or other public places so improved or served by said mains or pipes to the extent of the increase in value of such property by reason of the special benefits derived from such mains or pipes and from their construction, extension or improvement by the county or incorporated municipality; and, as other means of financing such construction, extension or improvement, to authorize the issuance of revenue bonds and the payment of monies out of general and special funds of such county or municipality and out of funds received from the State of Alabama and from the United States Government; and to provide low cost loans to affected property owners.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize any county in Alabama having a population of 600,000 or more according to the most recent federal decennial census and any incorporated municipality situated therein to cooperate with other governmental subdivisions, public agencies, public corporations and authorities in the construction of new residential water mains and service piping from the main to the water meter of an approved public water supply system and the extension of presently existing approved public water supply system mains and service piping from the main to the water meter to all areas of such county not presently served by an approved public water supply system; to authorize the costs of construction and installation of said mains and service piping from the main to the water meter together with the costs of any improvements made thereon, or any portion of said costs, to be assessed against the property abutting on the streets, avenues, alleys, highways, or other public places so improved or served by said mains or service piping from the main to the water meter to the extent of the increase in value of such property by reason of the special benefits derived from such mains or service piping from the main to the water meter and from their construction, extension or improvement by the county or incorporated municipality; and, as other means of financing such construction, extension or improvement, to authorize the issuance of revenue bonds and the payment of monies out of general and special funds of such county or municipality and out of funds received from the State of Alabama and from the United States Government; and to provide low cost loans to affected property owners.

Section 1. For the purposes of this Act the phrase "approved public water supply system" shall mean the water works system of any county or municipality, person, firm, association, corporation, Water Works Board, or authority holding a franchise or possessing a right to lay or maintain water mains or service piping from the main to the water meter in streets, avenues, alleys, highways or other public places in any county having a population of 600,000 or more according to the most recent federal decennial census, and

having a permit, from the Alabama State Board of Health and the County Board of Health for the county having jurisdiction, to distribute water through said mains or piping.

Section 2. Any such county and any incorporated municipality situated therein shall cooperate with other governmental subdivisions, public agencies, public corporations and authorities in the construction of new residential water mains and piping of an approved public water supply system main and the extension of presently existing approved public water supply system mains and service piping from the main to the water meter to all areas of such county not presently served by an approved public water supply system; and may cause the construction and installation costs of said mains and service piping from the main to the water meter, together with the costs of any improvements made thereon or any portion of said costs, to be assessed against the property abutting on the streets, avenues, alleys, highways or other public places so improved or served by said mains or service piping from the main to the water meter to the extent of the increase in value of such property by reason of the special benefits derived from such mains or service piping from the main to the water meter and from their construction, extension or improvement by the county or incorporated municipality.

Section 3. In addition to the power of assessment conferred by Section 2 above, each such county, municipality and approved water supply system as described in Section 1 above is hereby authorized to expend its general funds, to issue its revenue bonds, to borrow funds or utilize other appropriate means, for the purpose of financing any portion or all of the costs of the construction, extension or improvement of water mains and service piping from the main to the water meter of an approved public water supply system in accordance with the provisions of Title 37, Sections 308-340, Code of Alabama, 1940, as amended. Such costs to be so financed shall include loans to any affected property owner of the amount of the assessment provided in Section 2 above and the tap on cost of service piping from the main to the water meter to such owner in utilizing water from such mains and piping, such loans to be made for a period up to 10 years at the election of the owner.

Section 4. Any such county or incorporated municipality may pay out or lend at cost of its general funds, out of any special funds that may be provided for the purpose, and out of any funds received from the State of Alabama or from the United States Government, such portion of the costs of the construction, extension or improvement of said water mains and service piping from the main to the water meter as such county or municipality shall see fit, and may utilize any such funds for the purpose of the loans provided to affected property owners in Section 3 above.

Section 5. The provisions of Sections 2 and 3 of this Act shall not apply to any person, firm, association, or corporation that, as to particular property, has been granted an exemption by the County Health Officer, after appropriate investigation by such officer and a written determination by him that such exemption is consistent with due standards of public health.

Section 6. Such counties or any incorporated municipality therein shall have the authority to install or let for contract, subject to the minimum wage scales of Alabama in compliance with Act No. 700, House Bill 109, Alabama Law, Regular Session, 1969, any water supply mains or service piping from the main to the water meter provided the mains and service piping are installed or contracted to be installed in compliance with all engineering plans

and specifications of the Water Works having jurisdiction; provided that during and upon completion of construction the Water Works having jurisdiction shall inspect and approve the construction and installation of all water mains and service piping from the main to the water meter, installed in accordance with this Act.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1827. To authorize any county in Alabama having a population of 600,000 or more according to the most recent federal decennial census and any incorporated municipality situated therein to cooperate with other governmental subdivisions, public agencies, public corporations and authorities in the construction of new residential water mains and service piping from the main to the water meter of an approved public water supply system and the extension of presently existing approved public water supply system mains and service piping from the main to the water meter to all areas of such county not presently served by an approved public water supply system; to authorize the costs of construction and installation of said mains and service piping from the main to the water meter together with the costs of any im-

REGULAR SESSION
30th Day

3635

provements made thereon, or any portion of said costs, to be assessed against the property abutting on the streets, avenues, alleys, highways, or other public places so improved or served by said mains or service piping from the main to the water meter to the extent of the increase in value of such property by reason of the special benefits derived from such mains or service piping from the main to the water meter and from their construction, extension or improvement by the county or incorporated municipality; and, as other means of financing such construction, extension or improvement, to authorize the issuance of revenue bonds and the payment of monies out of general and special funds of such county or municipality and out of funds received from the State of Alabama and from the United States Government; and to provide low cost loans to affected property owners.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

S. 394. To amend Title 13, Section 125 (75e) Code of Alabama, 1940, as amended, pertaining to establishing investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, providing for the hiring, salaries, expenses, authority and duties of such officers.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

30th Day

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill:

S. 667. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Harris	Meeks
Adams	Cottingham	Headley	Merrill
Adwell	Crawford	Hearn	Mims
Bank	Cross	Hill	Naramore
Barkett	Culver	Hobbie	O'Daniel
Barron	Doss	Hughes	Owens
Bassett	Downing	Jackson	Parker
Benton	Drake	Jones (F)	Perloff
Boles	Edwards	King	Porter
Boutwell	Ellis	Kinsey	Pruitt
Bowers	Erdreich	Lang	Reed (T)
Brassell	Falkenburg	Lutz	Reynolds
Burgess	Fite	McCluskey	Roberts
Callahan	Flippo	McCorquodale	Robertson
Carnes	Gafford	McDonald	St. John
Carter	Goodwin	McMillan	Slate
Cauthen	Grainger	McNair	Smith (K)
Chesnut	Grey (D)	Manley	Smith (P)
Collins	Hale	Mathews	Snell
Connell	Hardin	May	Stokes

REGULAR SESSION
30th Day

3637

Stubbs	Turner	Wallace	Wise
Taylor	Turnham	Warren	Wood
Therrell	Waggoner	Williams	Wynot
Timmons	Waldrop		

—94

And the bill:

H. 1740. Relating to all counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census; providing for supernumerary sheriffs in said county; and fixing the qualifications, compensation, status and tenure of office for said officials.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2071. Relating to counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of such counties, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this Act.

Was taken up.

H. 2071 POSTPONED

On motion of Mr. Manley, the bill, H. 2071, was postponed to the thirty-first legislative day.

And the bill:

H. 2040. To provide that any incorporated municipality in Perry County shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

RESOLUTION

The following resolution was introduced:

By Messrs. Grainger, King, Hearn and Hale:

H. J. R. 206.

WHEREAS, The Honorable Hartwell B. Lutz of Madison County has undertaken the exhaustive and important task of revising all Madison County local legislation passed by previous legislators as general bills of local application and has introduced 97 advertised local bills which appear on the House calendar for the 30th legislative day; now therefore, **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:**

THAT, Representative Lutz is highly commended for his industry, resourcefulness, and responsible service.

On motion of Mr. Grainger, the rules were suspended and the resolution, H. J. R. 206, was adopted.

REGULAR SESSION
30th Day

3639

BILLS ON THIRD READING RESUMED

And the bill:

H. 1983. To repeal Act No. 897, H. B. 1595, Regular Session 1971 (Acts 1971, p. 1661), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	<u>Grainger</u>	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1982. Relating to Madison County; providing for the collection of a filing fee on instruments, documents and papers filed for records in the Probate Judge's office; and further providing that the county governing body may impose an additional filing fee for the filing and recording of the enumerated instruments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill:

H. 1981. To repeal Act No. 1901, S. B. 1018, Regular Session 1971 (Acts 1971, p. 3091), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Harris	Meeks
Adams	Cottingham	Headley	Merrill
Adwell	Crawford	Hearn	Mims
Bank	Cross	Hill	Naramore
Barkett	Culver	Hobbie	O'Daniel
Barron	Doss	Hughes	Owens
Bassett	Downing	Jackson	Parker
Benton	Drake	Jones (F)	Perloff
Boles	Edwards	King	Porter
Boutwell	Ellis	Kinsey	Pruitt
Bowers	Erdreich	Lang	Reed (T)
Brassell	Falkenburg	Lutz	Reynolds
Burgess	Fite	McCluskey	Roberts
Callahan	Flippo	McCorquodale	Robertson
Carnes	Gafford	McDonald	St. John
Carter	Goodwin	McMillan	Slate
Cauthen	Grainger	McNair	Smith (K)
Chesnut	Grey (D)	Manley	Smith (P)
Collins	Hale	Mathews	Snell
Connell	Hardin	May	Stokes

REGULAR SESSION
30th Day

3641

Stubbs	Turner	Wallace	Wise
Taylor	Turnham	Warren	Wood
Therrell	Waggoner	Williams	Wynot
Timmons	Waldrop		

—94

And the bill:

H. 1980. To repeal Act No. 1326, H. 2114, Regular Session 1971, (Act 1971, p. 2275), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1979. To repeal Act No. 238, H. B. 581, Regular Session 1961, (Acts 1961, V. 1, p. 268), entitled, "An Act To provide that the judges of probate of all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1978. To repeal Act No. 1305, H. B. 2093, Regular Session 1971, (Acts 1971, p. 2350), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Flippo
Adams	Burgess	Cross	Gafford
Adwell	Callahan	Culver	Goodwin
Bank	Carnes	Doss	Grainger
Barkett	Carter	Downing	Grey (D)
Barron	Cauthen	Drake	Hale
Bassett	Chesnut	Edwards	Hardin
Benton	Collins	Ellis	Harris
Boles	Connell	Erdreich	Headley
Boutwell	Coshatt	Falkenburg	Hearn
Bowers	Cottingham	Fite	Hill

REGULAR SESSION
30th Day

3643

Hobbie	Manley	Reed (T)	Therrell
Hughes	Mathews	Reynolds	Timmons
Jackson	May	Roberts	Turner
Jones (F)	Meeks	Robertson	Turnham
King	Merrill	St. John	Waggoner
Kinsey	Mims	Slate	Waldrop
Lang	Namore	Smith (K)	Wallace
Lutz	O'Daniel	Smith (P)	Warren
McCluskey	Owens	Snell	Williams
McCorquodale	Parker	Stokes	Wise
McDonald	Perloff	Stubbs	Wood
McMillan	Porter	Taylor	Wynot
McNair	Pruitt		

—94

And the bill:

H. 1977. To repeal Act No. 895, H. B. 1593, Regular Session 1971, (Acts 1971, p. 1659), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal water works utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any such municipalities."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Namore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1976. Relating to Madison County; providing further for the compensation of election officials.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1975. To repeal Act No. 1478, S. 1015, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Carnes	Edwards	Hearn
Adams	Carter	Ellis	Hill
Adwell	Cauthen	Erdreich	Hobbie
Bank	Chesnut	Falkenburg	Hughes
Barkett	Collins	Fite	Jackson
Barron	Connell	Flippo	Jones (F)
Bassett	Coshatt	Gafford	King
Benton	Cottingham	Goodwin	Kinsey
Boles	Crawford	Grainger	Lang
Boutwell	Cross	Grey (D)	Lutz
Bowers	Culver	Hale	McCluskey
Brassell	Doss	Hardin	McCorquodale
Burgess	Downing	Harris	McDonald
Callahan	Drake	Headley	McMillan

30th Day

McNair	Parker	Smith (K)	Turnham
Manley	Perloff	Smith (P)	Waggoner
Mathews	Porter	Snell	Waldrop
May	Pruitt	Stokes	Wallace
Meeks	Reed (T)	Stubbs	Warren
Merrill	Reynolds	Taylor	Williams
Mims	Roberts	Therrell	Wise
Naramore	Robertson	Timmons	Wood
O'Daniel	St. John	Turner	Wynot
Owens	Slate		

—94

And the bill:

H. 1974. To repeal Act No. 1329, H. 2117, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000 according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1971. To repeal Act No. 202, S. 133, Third Special Session 1971, (Acts 1971, p. 4468), entitled, "An Act To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, power, duties, functions and expenses of the board and for the selection and

compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1973. To repeal Act No. 1391, H. 2306, Regular Session 1971 (Acts 1971, p. 2571), entitled "An Act Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

REGULAR SESSION
30th Day

3647

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill:

H. 1957. To repeal Act No. 2314, S. 1086, Regular Session 1971, (Acts 1971, p. 3737), entitled, "An Act To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1956. Relating to Madison County and the Twenty-Third Judicial Circuit; pertaining to Solicitor's or District Attorney's Fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1955. To repeal Act No. 232, H. 253, Third Special Session 1971, (Acts 1971, p. 4501), entitled, "An Act Relating to Solicitor's or District Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Collins	Drake
Adams	Bowers	Connell	Edwards
Adwell	Brassell	Coshatt	Ellis
Bank	Burgess	Cottingham	Erdreich
Barkett	Callahan	Crawford	Falkenburg
Barron	Carnes	Cross	Fite
Bassett	Carter	Culver	Flippo
Benton	Cauthen	Doss	Gafford
Boles	Chesnut	Downing	Goodwin

REGULAR SESSION
30th Day

3649

Grainger	Lutz	Parker	Stubbs
Grey (D)	McCluskey	Perloff	Taylor
Hale	McCorquodale	Porter	Therrell
Hardin	McDonald	Pruitt	Timmons
Harris	McMillan	Reed (T)	Turner
Headley	McNair	Reynolds	Turnham
Hearn	Manley	Roberts	Waggoner
Hill	Mathews	Robertson	Waldrop
Hobbie	May	St. John	Wallace
Hughes	Meeks	Slate	Warren
Jackson	Merrill	Smith (K)	Williams
Jones (F)	Mims	Smith (P)	Wise
King	Naramore	Snell	Wood
Kinsey	O'Daniel	Stokes	Wynot
Lang	Owens		

—94

And the bill:

H. 1969. To repeal Act No. 1392, H. 2307, Regular Session 1971, (Acts 1971, p. 2349), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1970. To repeal Act No. 1488, S. 1083, Regular Session 1971, (Acts 1971, p. 2553), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provision of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1968. Relating to Madison County; authorizing the Board of County Commissioners to establish legal names for all county roads to set speed limits on county roads, consistent with state policy.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

REGULAR SESSION
30th Day

3651

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill:

H. 1967. To repeal Act No. 1450, S. B. 971, Regular Session 1971, (Acts 1971, p. 2478), entitled "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1966. Relating to Madison County; providing for appointment and compensation of a secretary for each judge of the circuit court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1965. To repeal Act No. 126, H. B. 393, Regular Session 1971, (Acts 1971, p. 404) entitled, "An Act To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Flippo
Adams	Burgess	Cross	Gafford
Adwell	Callahan	Culver	Goodwin
Bank	Carnes	Doss	Grainger
Barkett	Carter	Downing	Grey (D)
Barron	Cauthen	Drake	Hale
Bassett	Chesnut	Edwards	Hardin
Benton	Collins	Ellis	Harris
Boles	Connell	Erdreich	Headley
Boutwell	Coshatt	Falkenburg	Hearn
Bowers	Cottingham	Fite	Hill

REGULAR SESSION
30th Day

3653

Hobbie	Manley	Reed (T)	Therrell
Hughes	Mathews	Reynolds	Timmons
Jackson	May	Roberts	Turner
Jones (F)	Meeks	Robertson	Turnham
King	Merrill	St. John	Waggoner
Kinsey	Mims	Slate	Waldrop
Lang	Naramore	Smith (K)	Wallace
Lutz	O'Daniel	Smith (P)	Warren
McCluskey	Owens	Snell	Williams
McCorquodale	Parker	Stokes	Wise
McDonald	Perloff	Stubbs	Wood
McMillan	Porter	Taylor	Wynot
McNair	Pruitt		

—94

And the bill:

H. 1964. Relating to Madison County; authorizing the court of county commissioners, board of revenue or other like governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1963. To repeal Act No. 1477, S. B. 1013, Regular Session 1971, (Acts 1971, p. 2534), entitled, "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Fruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1962. To repeal Act No. 1331, H. B. 2119, Regular Session 1971, (Acts 1971, p. 2280), entitled "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Burgess	Culver	Grainger
Adams	Callahan	Doss	Grey (D)
Adwell	Carnes	Downing	Hale
Bank	Carter	Drake	Hardin
Barkett	Cauthen	Edwards	Harris
Barron	Chesnut	Ellis	Headley
Bassett	Collins	Erdreich	Hearn
Benton	Connell	Falkenburg	Hill
Boles	Coshatt	Fite	Hobbie
Boutwell	Cottingham	Flippo	Hughes
Bowers	Crawford	Gafford	Jackson
Brassell	Cross	Goodwin	Jones (F)

REGULAR SESSION
30th Day

3655

King	Meeks	Roberts	Timmons
Kinsey	Merrill	Robertson	Turner
Lang	Mims	St. John	Turnham
Lutz	Naramore	Slate	Waggoner
McCluskey	O'Daniel	Smith (K)	Waldrop
McCorquodale	Owens	Smith (P)	Wallace
McDonald	Parker	Snell	Warren
McMillan	Perloff	Stokes	Williams
McNair	Porter	Stubbs	Wise
Manley	Pruitt	Taylor	Wood
Mathews	Reed (T)	Therrell	Wynot
May	Reynolds		

—94

And the bill:

H. 1961. Relating to the municipality of Huntsville in Madison County; authorizing the municipality to create a planning commission having certain powers, duties and regulations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1960. To repeal Act No. 1306, H. 2094, Regular Session 1971, (Acts 1971, p. 2251), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent federal decennial census, to create a Planning Commission having certain powers, duties and regulations."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1959. To repeal Act No. 896, H. 1594, Regular Session 1971, (Acts 1971, p. 1660), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gafford	Lutz
Adams	Collins	Goodwin	McCluskey
Adwell	Connell	Grainger	McCorquodale
Bank	Coshatt	Grey (D)	McDonald
Barkett	Cottingham	Hale	McMillan
Barron	Crawford	Hardin	McNair
Bassett	Cross	Harris	Manley
Benton	Culver	Headley	Mathews
Boles	Doss	Hearn	May
Boutwell	Downing	Hill	Meeks
Bowers	Drake	Hobbie	Merrill
Brassell	Edwards	Hughes	Mims
Burgess	Ellis	Jackson	Naramore
Callahan	Erdreich	Jones (F)	O'Daniel
Carnes	Falkenburg	King	Owens
Carter	Fite	Kinsey	Parker
Cauthen	Flippo	Lang	Perloff

REGULAR SESSION
30th Day

3657

Porter	Slate	Therrell	Wallace
Pruitt	Smith (K)	Timmons	Warren
Reed (T)	Smith (P)	Turner	Williams
Reynolds	Snell	Turnham	Wise
Roberts	Stokes	Waggoner	Wood
Robertson	Stubbs	Waldrop	Wynot
St. John	Taylor		

—94

And the bill:

H. 1958. Relating to Madison County; regulating further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdrich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1926. To repeal Act No. 2190, H. B. 2769, Regular Session 1971, (Acts 1971, p. 3504), entitled "An Act relating to all counties having a population of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

30th Day

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill:

H. 1927. Relating to Madison County; providing for the appointment and compensation of a bailiff for each judge of the County Court and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1928. To repeal Act No. 2282, S. 1220, Regular Session 1971, (Acts 1971, p. 3683), entitled "An Act To provide that the Family Court Di-

REGULAR SESSION
30th Day

3659

vision of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdrich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1929. To repeal Act No. 2189, H. 2768, Regular Session 1971, (Acts 1971, p. 3503), entitled, "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boles	Burgess
Adams	Barron	Boutwell	Callahan
Adwell	Bassett	Bowers	Carnes
Bank	Benton	Brassell	Carter

30th Day

Cauthen	Grainger	McNair	Slate
Chesnut	Grey (D)	Manley	Smith (K)
Collins	Hale	Mathews	Smith (P)
Connell	Hardin	May	Snell
Coshatt	Harris	Meeks	Stokes
Cottingham	Headley	Merrill	Stubbs
Crawford	Hearn	Mims	Taylor
Cross	Hill	Naramore	Therrell
Culver	Hobbie	O'Daniel	Timmons
Doss	Hughes	Owens	Turner
Downing	Jackson	Parker	Turnham
Drake	Jones (F)	Perloff	Waggoner
Edwards	King	Porter	Waldrop
Ellis	Kinsey	Pruitt	Wallace
Erdreich	Lang	Reed (T)	Warren
Falkenburg	Lutz	Reynolds	Williams
Fite	McCluskey	Roberts	Wise
Flipppo	McCorquodale	Robertson	Wood
Gafford	McDonald	St. John	Wynot
Goodwin	McMillan		

—94

And the bill:

H. 1930. Relating to Madison County; providing that the Family Court Division of the Circuit Court shall collect a filing fee for the filing of juvenile cases in such court and providing further the judges of such court may assess a fine against juveniles for the violation of law and providing for the disposition of such cost and fine.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flipppo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

REGULAR SESSION
30th Day

3661

And the bill:

H. 1931. To repeal Act No. 1199, H. 2111, Regular Session 1971, (Acts 1971, p. 2078), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1932. Relating to Madison County; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations of any of the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Boles	Cauthen	Culver
Adams	Boutwell	Chesnut	Doss
Adwell	Bowers	Collins	Downing
Bank	Brassell	Connell	Drake
Barkett	Burgess	Coshatt	Edwards
Barron	Callahan	Cottingham	Ellis
Bassett	Carnes	Crawford	Erdreich
Benton	Carter	Cross	Falkenburg

Fite	King	O'Daniel	Stokes
Flippo	Kinsey	Owens	Stubbs
Gafford	Lang	Parker	Taylor
Goodwin	Lutz	Perloff	Therrell
Grainger	McCluskey	Porter	Timmons
Grey (D)	McCorquodale	Pruitt	Turner
Hale	McDonald	Reed (T)	Turnham
Hardin	McMillan	Reynolds	Waggoner
Harris	McNair	Roberts	Waldrop
Headley	Manley	Robertson	Wallace
Hearn	Mathews	St. John	Warren
Hill	May	Slate	Williams
Hobbie	Meeks	Smith (K)	Wise
Hughes	Merrill	Smith (P)	Wood
Jackson	Mims	Snell	Wynot
Jones (F)	Naramore		

—94

And the bill:

H. 1933. To repeal Act No. 1479, S. 1019, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

REGULAR SESSION
30th Day

3663

And the bill:

H. 1934. To repeal Act No. 1333, H. 2121, Regular Session 1971, (Acts 1971, p. 2282), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flipppo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1935. Relating to Madison County and the City of Huntsville in Madison County; providing for the maintenance, management and operation of places of detention for juveniles.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bassett	Burgess	Collins
Adams	Benton	Callahan	Connell
Adwell	Boles	Carnes	Coshatt
Bank	Boutwell	Carter	Cottingham
Barkett	Bowers	Cauthen	Crawford
Barron	Brassell	Chesnut	Cross

Culver	Hearn	Meeks	Smith (P)
Doss	Hill	Merrill	Snell
Downing	Hobbie	Mims	Stokes
Drake	Hughes	Naramore	Stubbs
Edwards	Jackson	O'Daniel	Taylor
Ellis	Jones (F)	Owens	Therrell
Erdreich	King	Parker	Timmons
Falkenburg	Kinsey	Perloff	Turner
Fite	Lang	Porter	Turnham
Flippo	Lutz	Pruitt	Waggoner
Gafford	McCluskey	Reed (T)	Waldrop
Goodwin	McCorquodale	Reynolds	Wallace
Grainger	McDonald	Roberts	Warren
Grey (D)	McMillan	Robertson	Williams
Hale	McNair	St. John	Wise
Hardin	Manley	Slate	Wood
Harris	Mathews	Smith (K)	Wynot
Headley	May		

—94

And the bill:

H. 1936. To repeal Act No. 1327, H. B. 2115, Regular Session 1971, (Acts 1971, p. 2277), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

REGULAR SESSION
30th Day

3665

And the bill:

H. 1937. To repeal Act No. 1884, S. B. 1021, Regular Session 1971, (Act 1971, p. 3068), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks, which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flipppo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1939. To repeal Act No. 1389, H. 2304, Regular Session 1971, (Acts 1971, p. 2340), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill:

H. 1938. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for placing in the general fund of the county all surplus funds given to the District Attorney's office in the circuit by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in which such funds were paid in.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

REGULAR SESSION
30th Day

3667

And the bill:

H. 1940. To repeal Act No. 1492, S. 1088, Regular Session 1971, (Acts 1971, p. 2570), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1941. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bassett	Burgess	Collins
Adams	Benton	Callahan	Connell
Adwell	Boles	Carnes	Coshatt
Bank	Boutwell	Carter	Cottingham
Barkett	Bowers	Cauthen	Crawford
Barron	Brassell	Chesnut	Cross

30th Day

Culver	Hearn	Meeks	Smith (P)
Doss	Hill	Merrill	Snell
Downing	Hobbie	Mims	Stokes
Drake	Hughes	Naramore	Stubbs
Edwards	Jackson	O'Daniel	Taylor
Ellis	Jones (F)	Owens	Therrell
Erdreich	King	Parker	Timmons
Falkenburg	Kinsey	Perloff	Turner
Fite	Lang	Porter	Turnham
Flippo	Lutz	Pruitt	Waggoner
Gafford	McCluskey	Reed (T)	Waldrop
Goodwin	McCorquodale	Reynolds	Wallace
Grainger	McDonald	Roberts	Warren
Grey (D)	McMillan	Robertson	Williams
Hale	McNair	St. John	Wise
Hardin	Manley	Slate	Wood
Harris	Mathews	Smith (K)	Wynot
Headley	May		

—94

And the bill:

H. 1942. To repeal Act No. 1321, H. 2105, Regular Session 1971, (Acts 1971, p. 2272), entitled, "An Act Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1954. Relating to Madison County; prescribing the maximum amount of compensation allowable to members of jury commissions.

REGULAR SESSION
30th Day

3669

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1953. To repeal Act No. 1509, S. 1025, Regular Session 1971, (Acts 1971, p. 2594), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Carnes	Edwards	Hearn
Adams	Carter	Ellis	Hill
Adwell	Cauthen	Erdreich	Hobbie
Bank	Chesnut	Falkenburg	Hughes
Barkett	Collins	Fite	Jackson
Barron	Connell	Flippo	Jones (F)
Bassett	Coshatt	Gafford	King
Benton	Cottingham	Goodwin	Kinsey
Boles	Crawford	Grainger	Lang
Boutwell	Cross	Grey (D)	Lutz
Bowers	Culver	Hale	McCluskey
Brassell	Doss	Hardin	McCorquodale
Burgess	Downing	Harris	McDonald
Callahan	Drake	Headley	McMillan

McNair	Parker	Smith (K)	Turnham
Manley	Perloff	Smith (P)	Waggoner
Mathews	Porter	Snell	Waldrop
May	Pruitt	Stokes	Wallace
Meeks	Reed (T)	Stubbs	Warren
Merrill	Reynolds	Taylor	Williams
Mims	Roberts	Therrell	Wise
Naramore	Robertson	Timmons	Wood
O'Daniel	St. John	Turner	Wynot
Owens	Slate		

—94

And the bill:

H. 1952. To repeal Act No. 1328, H. 2116, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1951. To repeal Act No. 1330, H. 2118, Regular Session 1971, (Acts 1971, p. 2279), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties."

REGULAR SESSION
30th Day

3671

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1950. Relating to the City of Huntsville in Madison County; providing for the election of a president and vice president of the city board of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Fite	King
Adams	Chesnut	Flippo	Kinsey
Adwell	Collins	Gafford	Lang
Bank	Connell	Goodwin	Lutz
Barkett	Coshatt	Grainger	McCluskey
Barron	Cottingham	Grey (D)	McCorquodale
Bassett	Crawford	Hale	McDonald
Benton	Cross	Hardin	McMillan
Boles	Culver	Harris	McNair
Boutwell	Doss	Headley	Manley
Bowers	Downing	Hearn	Mathews
Brassell	Drake	Hill	May
Burgess	Edwards	Hobbie	Meeks
Callahan	Ellis	Hughes	Merrill
Carnes	Erdreich	Jackson	Mims
Carter	Falkenburg	Jones (F)	Naramore

O'Daniel	Roberts	Stubbs	Waldrop
Owens	Robertson	Taylor	Wallace
Parker	St. John	Therrell	Warren
Perloff	Slate	Timmons	Williams
Porter	Smith (K)	Turner	Wise
Pruitt	Smith (P)	Turnham	Wood
Reed (T)	Snell	Waggoner	Wynot
Reynolds	Stokes		

—94

And the bill:

H. 1949. To repeal Act No. 323, H. 416, Third Special Session 1971, (Acts 1971, p. 4612), entitled, "An Act Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1948. Relating to Madison County; permitting the county governing body to provide parking for certain persons and validating expenses incurred by the county governing body relative to parking prior to the passage of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
30th Day

3673

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1945. To repeal Act No. 1481, S. 1024, Regular Session 1971, (Acts 1971, p. 2537), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gafford	Lutz
Adams	Collins	Goodwin	McCluskey
Adwell	Connell	Grainger	McCorquodale
Bank	Coshatt	Grey (D)	McDonald
Barkett	Cottingham	Hale	McMillan
Barron	Crawford	Hardin	McNair
Bassett	Cross	Harris	Manley
Benton	Culver	Headley	Mathews
Boles	Doss	Hearn	May
Boutwell	Downing	Hill	Meeks
Bowers	Drake	Hobbie	Merrill
Brassell	Edwards	Hughes	Mims
Burgess	Ellis	Jackson	Naramore
Callahan	Erdreich	Jones (F)	O'Daniel
Carnes	Falkenburg	King	Owens
Carter	Fite	Kinsey	Parker
Cauthen	Flippo	Lang	Perloff

30th Day

Porter	Slate	Therrell	Wallace
Pruitt	Smith (K)	Timmons	Warren
Reed (T)	Smith (P)	Turner	Williams
Reynolds	Snell	Turnham	Wise
Roberts	Stokes	Waggoner	Wood
Robertson	Stubbs	Waldrop	Wynot
St. John	Taylor		

—94

And the bill:

H. 1943. Relating to the City of Huntsville in Madison County; and providing for the appointment of city recorders.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1946. To repeal Act No. 884, H. B. 1241, Regular Session 1969, (Acts 1969, v. 2, p. 1590), entitled, "An Act Relating to counties having populations of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

REGULAR SESSION
30th Day

3675

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill:

H. 1944. To repeal Act No. 1325, H. 2110, Regular Session 1971, (Acts 1971, p. 2275), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1947. To repeal Act No. 234, H. 255, Third Special Session 1971 (Acts 1971, p. 4504), entitled, "An Act To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1986. To repeal Act No. 1883, S. 1014, Regular Session 1971, (Acts 1971, p. 3064), entitled, "An Act To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

REGULAR SESSION
30th Day

3677

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill:

H. 1987. To repeal Act No. 1448, S. B. 970, Regular Session 1971, (Acts 1971, p. 2471) entitled, "An Act To provide the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1988. Relating to Madison County; providing authority for the Board of County Commissioners to provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1989. To repeal Act No. 1334, H. 2123, Regular Session 1971 (Acts 1971, p. 2283), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boles	Burgess
Adams	Barron	Boutwell	Callahan
Adwell	Bassett	Bowers	Carnes
Bank	Benton	Brassell	Carter

REGULAR SESSION
30th Day

3679

Cauthen	Grainger	McNair	Slate
Chesnut	Grey (D)	Manley	Smith (K)
Collins	Hale	Mathews	Smith (P)
Connell	Hardin	May	Snell
Coshatt	Harris	Meeks	Stokes
Cottingham	Headley	Merrill	Stubbs
Crawford	Hearn	Mims	Taylor
Cross	Hill	Naramore	Therrell
Culver	Hobbie	O'Daniel	Timmons
Doss	Hughes	Owens	Turner
Downing	Jackson	Parker	Turnham
Drake	Jones (F)	Perloff	Waggoner
Edwards	King	Porter	Waldrop
Ellis	Kinsey	Pruitt	Wallace
Erdreich	Lang	Reed (T)	Warren
Falkenburg	Lutz	Reynolds	Williams
Fite	McCluskey	Roberts	Wise
Flippo	McCorquodale	Robertson	Wood
Gafford	McDonald	St. John	Wynot
Goodwin	McMillan		

—94

And the bill:

H. 1990. To repeal Act No. 1474, S. 1010, Regular Session 1971 (Acts 1971, p. 2514), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Harris	Meeks
Adams	Cottingham	Headley	Merrill
Adwell	Crawford	Hearn	Mims
Bank	Cross	Hill	Naramore
Barkett	Culver	Hobbie	O'Daniel
Barron	Doss	Hughes	Owens
Bassett	Downing	Jackson	Parker
Benton	Drake	Jones (F)	Perloff
Boles	Edwards	King	Porter
Boutwell	Ellis	Kinsey	Pruitt
Bowers	Erdreich	Lang	Reed (T)
Brassell	Falkenburg	Lutz	Reynolds
Burgess	Fite	McCluskey	Roberts
Callahan	Flippo	McCorquodale	Robertson
Carnes	Gafford	McDonald	St. John
Carter	Goodwin	McMillan	Slate
Cauthen	Grainger	McNair	Smith (K)
Chesnut	Grey (D)	Manley	Smith (P)
Collins	Hale	Mathews	Snell
Connell	Hardin	May	Stokes

Stubbs
Taylor
Therrell
Timmons

Turner
Turnham
Waggoner
Waldrop

Wallace
Warren
Williams

Wise
Wood
Wynot

—94

And the bill:

H. 1991. Relating to Madison County; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Brassell
Burgess
Callahan
Carnes
Carter
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford
Cross

Culver
Doss
Downing
Drake
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Grey (D)
Hale
Hardin
Harris
Headley
Hearn
Hill
Hobbie
Hughes
Jackson
Jones (F)

King
Kinsey
Lang
Lutz
McCluskey
McCorquodale
McDonald
McMillan
McNair
Manley
Mathews
May
Meeks
Merrill
Mims
Naramore
O'Daniel
Owens
Parker
Perloff
Porter
Pruitt
Reed (T)

Reynolds
Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stokes
Stubbs
Taylor
Therrell
Timmons
Turner
Turnham
Waggoner
Waldrop
Wallace
Warren
Williams
Wise
Wood
Wynot

—94

And the bill:

H. 1992. To repeal Act No. 2188, H. B. 2767, Regular Session 1971, (Acts 1971, p. 3502), entitled, "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
30th Day

3681

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1993. To repeal Act No. 2283, S. B. 1221, Regular Session 1971, (Acts 1971, p. 3684), entitled "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Carnes	Edwards	Hearn
Adams	Carter	Ellis	Hill
Adwell	Cauthen	Erdreich	Hobbie
Bank	Chesnut	Falkenburg	Hughes
Barkett	Collins	Fite	Jackson
Barron	Connell	Flippo	Jones (F)
Bassett	Coshatt	Gafford	King
Benton	Cottingham	Goodwin	Kinsey
Boles	Crawford	Grainger	Lang
Boutwell	Cross	Grey (D)	Lutz
Bowers	Culver	Hale	McCluskey
Brassell	Doss	Hardin	McCorquodale
Burgess	Downing	Harris	McDonald
Callahan	Drake	Headley	McMillan

McNair	Parker	Smith (K)	Turnham
Manley	Perloff	Smith (P)	Waggoner
Mathews	Porter	Snell	Waldrop
May	Pruitt	Stokes	Wallace
Meeks	Reed (T)	Stubbs	Warren
Merrill	Reynolds	Taylor	Williams
Mims	Roberts	Therrell	Wise
Naramore	Robertson	Timmons	Wood
O'Daniel	St. John	Turner	Wynot
Owens	Slate		

—94

And the bill:

H. 1994. Relating to Madison County; providing that the Judge of Probate shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1995. To repeal Act No. 145, H. 131, First Special Session 1971 (Acts 1971, p. 231), entitled, "An Act To provide for the election of a seven member City Board of Education for any city having a population of not less than 135,000 nor more than 180,000 according to the most recent federal decennial census; and to provide for the terms of its members."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
30th Day

3683

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1996. To repeal Act No. 2192, H. B. 2771, Regular Session 1971, (Acts 1971, p. 3507), entitled, "An Act To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Fite	King
Adams	Chesnut	Flippo	Kinsey
Adwell	Collins	Gafford	Lang
Bank	Connell	Goodwin	Lutz
Barkett	Coshatt	Grainger	McCluskey
Barron	Cottingham	Grey (D)	McCorquodale
Bassett	Crawford	Hale	McDonald
Benton	Cross	Hardin	McMillan
Boles	Culver	Harris	McNair
Boutwell	Doss	Headley	Manley
Bowers	Downing	Hearn	Mathews
Brassell	Drake	Hill	May
Burgess	Edwards	Hobbie	Meeks
Callahan	Ellis	Hughes	Merrill
Carnes	Erdreich	Jackson	Mims
Carter	Falkenburg	Jones (F)	Naramore

30th Day

O'Daniel	Roberts	Stubbs	Waldrop
Owens	Robertson	Taylor	Wallace
Parker	St. John	Therrell	Warren
Perloff	Slate	Timmons	Williams
Porter	Smith (K)	Turner	Wise
Pruitt	Smith (P)	Turnham	Wood
Reed (T)	Snell	Waggoner	Wynot
Reynolds	Stokes		

—94

And the bill:

H. 1997. Relating to Madison County; providing an expense allowance for the Judge of the County Court and providing for an effective date for the operation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1998. To repeal Act No. 233, H. B. 254, Third Special Session 1971, (Acts 1971, p. 4503), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Adwell	Barkett	Bassett
Adam	Bank	Barron	Benton

REGULAR SESSION
30th Day

3685

Boles	Erdreich	McCluskey	Robertson
Boutwell	Falkenburg	McCorquodale	St. John
Bowers	Fite	McDonald	Slate
Brassell	Flippo	McMillan	Smith (K)
Burgess	Gafford	McNair	Smith (P)
Callahan	Goodwin	Manley	Snell
Carnes	Grainger	Mathews	Stokes
Carter	Grey (D)	May	Stubbs
Cauthen	Hale	Meeks	Taylor
Chesnut	Hardin	Merrill	Therrell
Collins	Harris	Mims	Timmons
Connell	Headley	Naramore	Turner
Coshatt	Hearn	O'Daniel	Turnham
Cottingham	Hill	Owens	Waggoner
Crawford	Hobbie	Parker	Waldrop
Cross	Hughes	Perloff	Wallace
Culver	Jackson	Porter	Warren
Doss	Jones (F)	Pruitt	Williams
Downing	King	Reed (T)	Wise
Drake	Kinsey	Reynolds	Wood
Edwards	Lang	Roberts	Wynot
Ellis	Lutz		

—94

And the bill:

H. 1999. Relating to Madison County; fixing and providing for a uniform and clothing allowance for deputies and members of the Sheriff's force.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2000. To repeal Act No. 1387, H. 2302, Regular Session 1971

(Acts 1971, p. 2330), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrant in all criminal cases in such counties."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2001. To repeal Act No. 1491, S. 1087, Regular Session 1971, (Acts 1971, p. 2569), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Benton	Carnes	Cottingham
Adams	Boles	Carter	Crawford
Adwell	Boutwell	Cauthen	Cross
Bank	Bowers	Chesnut	Culver
Barkett	Brassell	Collins	Doss
Barron	Burgess	Connell	Downing
Bassett	Callahan	Coshatt	Drake

REGULAR SESSION
30th Day

3687

Edwards	Hughes	Mims	Snell
Ellis	Jackson	Naramore	Stokes
Erdreich	Jones (F)	O'Daniel	Stubbs
Falkenburg	King	Owens	Taylor
Fite	Kinsey	Parker	Therrell
Flippo	Lang	Perloff	Timmons
Gafford	Lutz	Porter	Turner
Goodwin	McCluskey	Pruitt	Turnham
Grainger	McCorquodale	Reed (T)	Waggoner
Grey (D)	McDonald	Reynolds	Waldrop
Hale	McMillan	Roberts	Wallace
Hardin	McNair	Robertson	Warren
Harris	Manley	St. John	Williams
Headley	Mathews	Slate	Wise
Hearn	May	Smith (K)	Wood
Hill	Meeks	Smith (P)	Wynot
Hobbie	Merrill		

—94

And the bill:

H. 2002. To repeal Act No. 1912, S. 1091, Regular Session 1971 (Acts 1971, p. 3102), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2003. To repeal Act No. 2225, H. 2689, Regular Session 1971 (Acts 1971, p. 3579), entitled "An Act To regulate further the costs and fees

in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2004. Relating to Madison County; regulating the costs and fees in the county courts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Callahan	Downing	Hardin
Adams	Carnes	Drake	Harris
Adwell	Carter	Edwards	Headley
Bank	Cauthen	Ellis	Hearn
Barkett	Chesnut	Erdreich	Hill
Barron	Collins	Falkenburg	Hobbie
Bassett	Connell	Fite	Hughes
Benton	Coshatt	Flippo	Jackson
Boles	Cottingham	Gafford	Jones (F)
Boutwell	Crawford	Goodwin	King
Bowers	Cross	Grainger	Kinsey
Brassell	Culver	Grey (D)	Lang
Burgess	Doss	Hale	Lutz

REGULAR SESSION
30th Day

3689

McCluskey	Naramore	St. John	Turner
McCorquodale	O'Daniel	Slate	Turnham
McDonald	Owens	Smith (K)	Waggoner
McMillan	Parker	Smith (P)	Waldrop
McNair	Perloff	Snell	Wallace
Manley	Porter	Stokes	Warren
Mathews	Pruitt	Stubbs	Williams
May	Reed (T)	Taylor	Wise
Meeks	Reynolds	Therrell	Wood
Merrill	Roberts	Timmons	Wynot
Mims	Robertson		

—94

And the bill:

H. 2005. To repeal Act No. 1390, H. B. 2305, Regular Session 1971 (Acts 1971, p. 2559), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2006. To repeal Act No. 1489, S. B. 1084, Regular Session 1971 (Acts 1971, p. 2341), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2007. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Fite	King
Adams	Chesnut	Flippo	Kinsey
Adwell	Collins	Gafford	Lang
Bank	Connell	Goodwin	Lutz
Barkett	Coshatt	Grainger	McCluskey
Barron	Cottingham	Grey (D)	McCorquodale
Bassett	Crawford	Hale	McDonald
Benton	Cross	Hardin	McMillan
Boles	Culver	Harris	McNair
Boutwell	Doss	Headley	Manley
Bowers	Downing	Hearn	Mathews
Brassell	Drake	Hill	May
Burgess	Edwards	Hobbie	Meeks
Callahan	Ellis	Hughes	Merrill
Carnes	Erdreich	Jackson	Mims
Carter	Falkenburg	Jones (F)	Naramore

REGULAR SESSION
30th Day

3691

O'Daniel	Roberts	Stubbs	Waldrop
Owens	Robertson	Taylor	Wallace
Parker	St. John	Therrell	Warren
Perloff	Slate	Timmons	Williams
Porter	Smith (K)	Turner	Wise
Pruitt	Smith (P)	Turnham	Wood
Reed (T)	Snell	Waggoner	Wynot
Reynolds	Stokes		

—94

And the bill:

H. 1985. Relating to the City of Huntsville; providing that the city board of education shall adopt written policies with regard to education; providing the manner in which such policies shall be adopted; providing that such written policies shall be made available to all teachers employed by the board; and providing that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 1984. To repeal Act No. 43, H. 72, Second Special Session 1971, (Acts 1971, p. 4180), entitled, "An Act To provide that the city board of education in all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2060. To authorize and empower the Madison County Commission or other governing body of Madison County, Alabama, to establish a county-wide water and sewage system by the purchase of any existing water and/or sewage authority in the county, or by legally acquiring same through any other method; to authorize the commission of said county, by appropriate resolution, to provide for the issuance of the necessary municipal bonds to pay for the purchase and/or operation of such a county-wide system; to provide for the operation of such systems; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Flippo
Adams	Burgess	Cross	Gafford
Adwell	Callahan	Culver	Goodwin
Bank	Carnes	Doss	Grainger
Barkett	Carter	Downing	Grey (D)
Barron	Cauthen	Drake	Hale
Bassett	Chesnut	Edwards	Hardin
Benton	Collins	Ellis	Harris
Boles	Connell	Erdreich	Headley
Boutwell	Coshatt	Falkenburg	Hearn
Bowers	Cottingham	Fite	Hill

REGULAR SESSION
30th Day

3693

Hobbie	Manley	Reed (T)	Therrell
Hughes	Mathews	Reynolds	Timmons
Jackson	May	Roberts	Turner
Jones (F)	Meeks	Robertson	Turnham
King	Merrill	St. John	Waggoner
Kinsey	Mims	Slate	Waldrop
Lang	Naramore	Smith (K)	Wallace
Lutz	O'Daniel	Smith (P)	Warren
McCluskey	Owens	Snell	Williams
McCorquodale	Parker	Stokes	Wise
McDonald	Perloff	Stubbs	Wood
McMillan	Porter	Taylor	Wynot
McNair	Pruitt		

—94

And the bill:

H. 2021. Relating to Madison County and any city or town located therein; providing that any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town located in the county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2020. To repeal Act No. 24, H. 160, First Special Session 1964, (Acts 1964, p. 45), entitled, "An Act To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank

having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2019. Relating to Madison County; fixing the compensation of the judge of the county court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Flippo
Adams	Burgess	Cross	Gafford
Adwell	Callahan	Culver	Goodwin
Bank	Carnes	Doss	Grainger
Barkett	Carter	Downing	Grey (D)
Barron	Cauthen	Drake	Hale
Bassett	Chesnut	Edwards	Hardin
Benton	Collins	Ellis	Harris
Boles	Connell	Erdreich	Headley
Boutwell	Coshatt	Falkenburg	Hearn
Bowers	Cottingham	Fite	Hill

REGULAR SESSION
30th Day

3695

Hobbie	Manley	Reed (T)	Therrell
Hughes	Mathews	Reynolds	Timmons
Jackson	May	Roberts	Turner
Jones (F)	Meeks	Robertson	Turnham
King	Merrill	St. John	Waggoner
Kinsey	Mims	Slate	Waldrop
Lang	Naramore	Smith (K)	Wallace
Lutz	O'Daniel	Smith (P)	Warren
McCluskey	Owens	Snell	Williams
McCorquodale	Parker	Stokes	Wise
McDonald	Perloff	Stubbs	Wood
McMillan	Porter	Taylor	Wynot
McNair	Pruitt		

—94

And the bill:

H. 2018. To repeal Act No. 680, H. B. 954, Regular Session 1967, (Acts 1967, v. II, p. 1507), entitled, "An Act To fix the compensation of the judge of the county court in any county having a population of not less than 170,000 nor more than 300,000 according to the last or any succeeding federal census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2017. Relating to Madison County; requiring building permits for any structures erected in said county; authorizing and providing means to implement the provisions of said Act; and authorizing funds necessary to implement this procedure.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2016. To repeal Act No. 1701, H. B. 2498, Regular Session 1971 (Acts 1971, p. 2859), entitled "An Act To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Callahan	Downing	Hardin
Adams	Carnes	Drake	Harris
Adwell	Carter	Edwards	Headley
Bank	Cauthen	Ellis	Hearn
Barkett	Chesnut	Erdreich	Hill
Barron	Collins	Falkenburg	Hobbie
Bassett	Connell	Fite	Hughes
Benton	Coshatt	Flippo	Jackson
Boles	Cottingham	Gafford	Jones (F)
Boutwell	Crawford	Goodwin	King
Bowers	Cross	Grainger	Kinsey
Brassell	Culver	Grey (D)	Lang
Burgess	Doss	Hale	Lutz

REGULAR SESSION
30th Day

3697

McCluskey	Naramore	St. John	Turner
McCorquodale	O'Daniel	Slate	Turnham
McDonald	Owens	Smith (K)	Waggoner
McMillan	Parker	Smith (P)	Waldrop
McNair	Perloff	Snell	Wallace
Manley	Porter	Stokes	Warren
Mathews	Pruitt	Stubbs	Williams
May	Reed (T)	Taylor	Wise
Meeks	Reynolds	Therrell	Wood
Merrill	Roberts	Timmons	Wynot
Mims	Robertson		

—94

And the bill:

H. 2015. Relating to Madison County and the City of Huntsville; further regulating the sale of alcoholic beverages therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2014. To repeal Act No. 2490, S. 1016, Regular Session 1971 (Acts 1971, p. 3896), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Adwell	Barkett	Bassett
Adams	Bank	Barron	Benton

Boles	Erdreich	McCluskey	Robertson
Boutwell	Falkenburg	McCorquodale	St. John
Bowers	Fite	McDonald	Slate
Brassell	Flippo	McMillan	Smith (K)
Burgess	Gafford	McNair	Smith (P)
Callahan	Goodwin	Manley	Snell
Carnes	Grainger	Mathews	Stokes
Carter	Grey (D)	May	Stubbs
Cauthen	Hale	Meeks	Taylor
Chesnut	Hardin	Merrill	Therrell
Collins	Harris	Mims	Timmons
Connell	Headley	Naramore	Turner
Coshatt	Hearn	O'Daniel	Turnham
Cottingham	Hill	Owens	Waggoner
Crawford	Hobbie	Parker	Waldrop
Cross	Hughes	Perloff	Wallace
Culver	Jackson	Porter	Warren
Doss	Jones (F)	Pruitt	Williams
Downing	King	Reed (T)	Wise
Drake	Kinsey	Reynolds	Wood
Edwards	Lang	Roberts	Wynot
Ellis	Lutz		

—94

And the bill:

H. 2013. To repeal Act No. 1310, H. 2124, Regular Session 1971, (Acts 1971, p. 2258), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

REGULAR SESSION
30th Day

3699

And the bill:

H. 2012. To repeal Act No. 1902, S. 1020, Regular Session 1971, (Acts 1971, p. 3093), entitled "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flipppo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2011. To repeal Act No. 1877, H. 2112, Regular Session 1971 (Acts 1971, p. 3056), entitled, "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Adwell	Barkett	Bassett
Adams	Bank	Barron	Benton

Boles	Erdreich	McCluskey	Robertson
Boutwell	Falkenburg	McCorquodale	St. John
Bowers	Fite	McDonald	Slate
Brassell	Flippo	McMillan	Smith (K)
Burgess	Gafford	McNair	Smith (P)
Callahan	Goodwin	Manley	Snell
Carnes	Grainger	Mathews	Stokes
Carter	Grey (D)	May	Stubbs
Cauthen	Hale	Meeks	Taylor
Chesnut	Hardin	Merrill	Therrell
Collins	Harris	Mims	Timmons
Connell	Headley	Naramore	Turner
Coshatt	Hearn	O'Daniel	Turnham
Cottingham	Hill	Owens	Waggoner
Crawford	Hobbie	Parker	Waldrop
Cross	Hughes	Perloff	Wallace
Culver	Jackson	Porter	Warren
Doss	Jones (F)	Pruitt	Williams
Downing	King	Reed (T)	Wise
Drake	Kinsey	Reynolds	Wood
Edwards	Lang	Roberts	Wynot
Ellis	Lutz		

—94

And the bill:

H. 2010. Relating to Madison County; pertaining to the registration of voters; providing for meeting days of the board of registrars; and providing for clerical assistants to be furnished to the board by county and city government.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

**REGULAR SESSION
30th Day**

3701

And the bill:

H. 2009. To repeal Act No. 1475, S. B. 1011, Regular Session 1971 (Acts 1971, p. 2516), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 2008. To repeal Act No. 1332, H. B. 2120, Regular Session 1971 (Acts 1971, p. 2281), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boles	Burgess
Adams	Barron	Boutwell	Callahan
Adwell	Bassett	Bowers	Carnes
Bank	Benton	Brassell	Carter

Cauthen	Grainger	McNair	Slate
Chesnut	Grey (D)	Manley	Smith (K)
Collins	Hale	Mathews	Smith (P)
Connell	Hardin	May	Snell
Coshatt	Harris	Meeks	Stokes
Cottingham	Headley	Merrill	Stubbs
Crawford	Hearn	Mims	Taylor
Cross	Hill	Naramore	Therrell
Culver	Hobbie	O'Daniel	Timmons
Doss	Hughes	Owens	Turner
Downing	Jackson	Parker	Turnham
Drake	Jones (F)	Perloff	Waggoner
Edwards	King	Porter	Waldrop
Ellis	Kinsey	Pruitt	Wallace
Erdreich	Lang	Reed (T)	Warren
Falkenburg	Lutz	Reynolds	Williams
Fite	McCluskey	Roberts	Wise
Flipppo	McCorquodale	Robertson	Wood
Gafford	McDonald	St. John	Wynot
Goodwin	McMillan		

—94

And the bill:

H. 1972. Relating to Madison County; creating and establishing a county-wide personnel system; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; and providing penalties for violation of any of the provisions of this Act.

Was taken up.

Mr. Lutz offered the following amendment #1 to the bill:

Amend H. B. 1972 by striking Section 1 (b) and substituting in lieu thereof the following:

"Section 1 (b). The personnel department shall consist of a personnel board and a personnel director. The personnel board shall consist of three members, one to be appointed as a joint appointee by the Sheriff of the County, the Circuit Court Clerk, the County Judge and the District Attorney; one to be appointed by the county governing body; and one to be appointed as a joint appointee by the County Tax Assessor, the County Tax Collector, and the Probate Judge. Members of the Personnel Board now serving in Madison County by authority of Acts 1392 and 1488 of the 1971 Regular Session shall continue to serve until the end of their respective terms. At the expiration of the term of each member, his successor shall be appointed for a term of six years."

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boles	Burgess
Bank	Barron	Boutwell	Callahan
Adams	Bassett	Bowers	Carnes
Adwell	Benton	Brassell	Carter

REGULAR SESSION
30th Day

3703

Cauthen	Grainger	McNair	Slate
Chesnut	Grey (D)	Manley	Smith (K)
Collins	Hale	Mathews	Smith (P)
Connell	Hardin	May	Snell
Coshatt	Harris	Meeks	Stokes
Cottingham	Headley	Merrill	Stubbs
Crawford	Hearn	Mims	Taylor
Cross	Hill	Naramore	Therrell
Culver	Hobbie	O'Daniel	Timmons
Doss	Hughes	Owens	Turner
Downing	Jackson	Parker	Turnham
Drake	Jones (F)	Perloff	Waggoner
Edwards	King	Porter	Waldrop
Ellis	Kinsey	Pruitt	Wallace
Erdreich	Lang	Reed (T)	Warren
Falkenburg	Lutz	Reynolds	Williams
Fite	McCluskey	Roberts	Wise
Flippo	McCorquodale	Robertson	Wood
Gafford	McDonald	St. John	Wynot
Goodwin	McMillan		

—94

Mr. Lutz offered the following amendment #2 to the bill, H. 1972 as amended:

Amend H. B. 1972 by striking Section 4 (k) and inserting in lieu thereof the following:

"4 (k) All employees of the Circuit Court including court reporters and bailiffs, provided, however, that the provisions of this Act shall apply to court reporters for the sole and limited purpose of allowing the personnel board to fix the amount of county salary supplement to be paid to such court reporters, and such board is hereby authorized and empowered to fix such supplement.

And further amend H. B. by striking Section 4 (m) (v) and re-numbering following subsections of Section 4 accordingly."

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gafford	Lutz
Adams	Collins	Goodwin	McCluskey
Adwell	Connell	Grainger	McCorquodale
Bank	Coshatt	Grey (D)	McDonald
Barkett	Cottingham	Hale	McMillan
Barron	Crawford	Hardin	McNair
Bassett	Cross	Harris	Manley
Benton	Culver	Headley	Mathews
Boles	Doss	Hearn	May
Boutwell	Downing	Hill	Meeks
Bowers	Drake	Hobbie	Merrill
Brassell	Edwards	Hughes	Mims
Burgess	Ellis	Jackson	Naramore
Callahan	Erdreich	Jones (F)	O'Daniel
Carnes	Falkenburg	King	Owens
Carter	Fite	Kinsey	Parker
Cauthen	Flippo	Lang	Perloff

Porter	Slate	Therrell	Wallace
Pruitt	Smith (K)	Timmons	Warren
Reed (T)	Smith (P)	Turner	Williams
Reynolds	Snell	Turnham	Wise
Roberts	Stokes	Waggoner	Wood
Robertson	Stubbs	Waldrop	Wynot
St. John	Taylor		

—94

Mr. Lutz offered the following amendment #3 to the bill, H. 1972 as amended:

Amend House Bill 1972 by striking Section 4 (m) (vii).

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

Mr. Lutz offered the following amendment #4 to the bill, H. 1972 as amended:

Amend H. B. 1972 by adding the following Section 3 (d):

3 (d). Notwithstanding the other provisions of this section, no increase in compensation to the personnel director in any one year shall be effective if such increase exceeds the average percentage of increase for all county employees subject to the personnel system, unless such increase is first approved by the county governing body.

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

REGULAR SESSION
30th Day

3705

Burgess	Flippo	McDonald	St. John
Callahan	Gafford	McMillan	Slate
Carnes	Goodwin	McNair	Smith (K)
Carter	Grainger	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Snell
Chesnut	Hale	May	Stokes
Collins	Hardin	Meeks	Stubbs
Connell	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	O'Daniel	Turner
Cross	Hobbie	Owens	Turnham
Culver	Hughes	Parker	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reynolds	Wise
Erdreich	Lutz	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite	McCorquodale		

—94

And the bill, H. 1972 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Barron	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Collins	Hearn	Parker	Warren
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—94

SPECIAL ORDER

The House proceeded to the consideration of the Special Order.

And the bill:

H. 1467. To further amend Section 6 of Act No. 576, H. 256, Regular Session 1959 (Acts 1959, p. 1444), as amended, which section relates to the

issuance of boat registration certificates, so as to further regulate the issuance of said boat registration certificates.

Was taken up.

Mr. Cauthen offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 6 and Section 8 of Act No. 576, H. B. 256, Regular Session 1959 (Acts 1959, p. 1444), as amended, which sections relate to the application for and issuance of annual boat registration certificates, so as to further regulate the application for and issuance of said boat registration certificates.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 6 of Act No. 576, H. 256, Regular Session 1959 (Acts 1959, p. 1444), as amended, is hereby further amended to read as follows:

"Section 6. Sale of Certificate; fees; appropriation; use of funds.—(1) Annual certificates of registration and numbers in connection therewith shall be issued by any probate judge in the State or any other official in the State who is presently authorized to issue automobile license plates. In conformity with this chapter and any rules and regulations which may be validly issued by the department of conservation and natural resources, the department of conservation and natural resources shall assign to each issuing officer in the county a block of numbers and certificates therefor which upon issue the issuing officer shall be allowed a fee of twenty-five cents (25¢) for each certificate issued by him. In counties where the probate judge or issuing officer is on the fee system, the issuing fee shall be retained by the probate judge, or other issuing officer, and in counties where the issuing officer or probate judge is on a salary basis the fee shall be paid to the county treasury. The issuance fee provided for herein shall be in addition to the amount of the registration fee.

"(2) All registration monies, except the twenty-five cent (25¢) fee allowed as aforesaid, shall be remitted monthly to the department of conservation and natural resources not later than ten (10) days after the first of each month. The department of conservation and natural resources shall transmit all monies received by it to the state treasurer, there to be deposited in a fund to be known as the 'state water safety fund.'

"(3) All monies received out of the sale of licenses under the provisions of this chapter may be used by the director of the department of conservation and natural resources for all purposes reasonably necessary in the cost of administration of this chapter including the printing of certificates or registration, postage and transportation charges, clerical, personnel, equipment purchases, salaries, and other expenses for each year except no funds collected under the provisions of this chapter may be used to supplement or pay the salaries of any enforcement officers other than those hired specifically for the purposes of administering the provisions of this chapter. The director of the department of conservation and natural resources shall expend such monies as may be appropriated to said water safety division, in such manner as the

director of conservation and natural resources may deem necessary and appropriate, provided, however, that such appropriations may be expended only for the purposes designated by the legislature and in the amounts provided therefor in the general appropriation bill and shall be budgeted and allotted in accordance with the provisions of Title 55, Chapter 4, Article 3, Code of Alabama 1940, as amended. It is the intent of the legislature that the department of conservation and natural resources utilize existing personnel and equipment of that department and of the sheriffs of this state to the maximum possible extent in enforcing and administering this chapter, to the end that there be no costly duplication of services."

Section 2. Section 8 of Act No. 576, H. B. 256, Regular Session 1959 (Acts 1959, p. 1442), as amended, is hereby amended to read as follows:

"Section 8. Application for and issuance of certificate of registration and number; number to be displayed on vessel; certificate available for inspection.—The owner of each vessel requiring numbering by this state shall file an application for number with any probate judge or other issuing officer on forms approved by the department of conservation and natural resources. The application shall be filed by the owner of the vessel and shall be accompanied by a fee in accordance with Section 16 of this Act. Upon receipt of the application and its approval by the authorized issuing officer he shall enter the same upon the records of his office and issue to the applicant a certificate of registration stating the number awarded to the vessel, the name and address of the owner, and a description of the vessel. The owner shall paint on or attach to each side of the bow of the vessel the annual identification number issued to him in such manner as may be prescribed by rules and regulations of the department of conservation and natural resources in order that it may be clearly visible and be of such size as required by the Federal Boating Act of 1958 or any subsequent amendment thereto. The number shall be maintained in legible condition. The certificate of registration shall be pocket size and shall be available at all times for inspection on the vessel for which issued whenever such vessel is in operation."

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Carnes	Easters	Hardin
Adams	Carter	Edwards	Harris
Adwell	Casey	Ellis	Headley
Bank	Cauthen	Erdreich	Hearn
Barkett	Chesnut	Falkenburg	Hill
Barron	Coshatt	Fite	Hobbie
Benton	Cottingham	Flippo	Jones (F)
Boles	Cross	Gafford	King
Boutwell	Crowe	Goodwin	Kinsey
Bowers	Culver	Grainger	Lang
Brassell	Doss	Grey (D)	Lutz
Burgess	Downing	Hale	McBride

McCluskey	Mims	Robertson	Turner
McDonald	Naramore	St. John	Waldrop
McMillan	Nettles	Slate	Wallace
McNair	Owens	Snell	Warren
Manley	Porter	Stewart	Williams
Mathews	Pruitt	Stokes	Wise
May	Reed (T)	Stubbs	Wood
Meeks	Reynolds	Taylor	Wynot
Merrill	Roberts	Timmons	

—83

Mr. Cauthen offered the following amendment to the bill, H. 1467 as amended:

Amend Section 2 of the Substitute to H. B. 1467 by adding at the end of the sentence: "The Application shall be filed by the owner of the vessel and shall be accompanied by the fees in accordance with Section 16, of this Act," the following sentence: "the issuance fee shall be retained in the manner herein above set forth in Section 6 of this Act, and the remained of the annual fee shall be disbursed to the department of Conservation as is provided elsewhere in this Act."

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones (F)	Reed (T)
Adams	Downing	King	Reynolds
Adwell	Drake	Kinsey	Roberts
Bank	Easters	Lutz	Robertson
Barkett	Edwards	McBride	St. John
Barron	Ellis	McCluskey	Slate
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stewart
Boutwell	Flippo	Manley	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Carnes	Grainger	Meeks	Timmons
Carter	Grey (D)	Merrill	Turner
Casey	Hale	Mims	Waldrop
Cauthen	Hardin	Naramore	Wallace
Chesnut	Harris	Nettles	Warren
Coshatt	Headley	Owens	Williams
Cottingham	Hearn	Parker	Wise
Cross	Hill	Perloff	Wood
Crowe	Hobbie	Pruitt	Wynot
Culver			

—85

And the bill:

H. 1467. To further amend Section 6 and Section 8 of Act No. 576, H. B. 256, Regular Session 1959 (Acts 1959, p. 1444), as amended, which sections relate to the application for and issuance of annual boat registration certificates, so as to further regulate the application for and issuance of said boat registration certificates.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
30th Day

3709

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Doss	King	Reed (T)
Adams	Downing	Kinsey	Reynolds
Adwell	Easters	Lutz	Roberts
Bank	Edwards	McBride	Robertson
Barkett	Ellis	McCluskey	St. John
Barron	Erdreich	McDonald	Smith (P)
Bassett	Falkenburg	McMillan	Snell
Benton	Fite	McNair	Stewart
Boles	Flippo	Manley	Stokes
Boutwell	Gafford	Mathews	Stubbs
Bowers	Goodwin	May	Taylor
Brassell	Grainger	Merrill	Timmons
Burgess	Grey (D)	Mims	Turner
Carnes	Hale	Naramore	Waldrop
Carter	Hardin	Nettles	Wallace
Casey	Harris	Owens	Warren
Chesnut	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Cross	Hobbie	Pruitt	Wynot
Culver	Jones (F)		

—82

RESOLUTION

The following resolution was introduced:

By Messrs. Smith (P), Roberts, Lutz, Carter, King, Culver, Downing, Reed (T), Collins, McDonald, Carnes, Kinsey, Waggoner, Stokes, May, Adams, Boles, Casey, Lang, Slate, McCluskey, Boutwell, Turnham, Brassell, Taylor, Porter, Williams, Cauthen, Hill, Grainger, Flippo, Chesnut, Barkett, Wise, Therrell, Owens, Nettles, Callahan, Benton, Coshatt, Wood, Bank, Smith (K), Turner, Drake, Parker, Robertson, Snell, Waldrop, Cottingham, McNair, McBride, Harris, Hobbie, Barron, Manley, Cross, Hale, Reid (R), Mims, O'Daniel, Wynot, Grey (D), Warren, Erdreich, Crowe, Bowers, Timmons, Falkenburg, Edwards, Hardin, Goodwin, Reynolds, Hearn, Hughes, Jones (F), Meeks, Adwell, Stewart, Doss, Easters, Naramore and St. John:

H. J. R. 207. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

1. That on the first Tuesday after the expiration of three months from final adjournment of the 1975 Regular Session of the Legislature, an election shall be held in the several counties of the State, for the purpose of determining whether or not a convention shall be held to revise and amend the Constitution of this State, and at that election the question of convention or no convention shall be submitted to a vote of the qualified electors of this State and if a majority of the voters voting at said election shall approve of the holding of a convention for the purpose stated, said convention shall be held as hereinafter provided.

2. The election shall be held and conducted and notice thereof given in all respects according to the provisions of Article 9 of Chapter 1, Title 17, Code of Alabama 1940. The expense of holding the election shall be paid, the returns canvassed, and the results thereof made known in the same manner and by the same officers as in elections on constitutional amendments. There shall be printed on the official ballots the question to be voted on followed by the words, "Yes" and "No," opposite one of which the voter may indicate his desires.

3. The convention shall consist of one hundred and five (105) delegates, to be elected in the same way that members of the House are elected; thirty-five delegates to be elected in the same way as members of the Senate; four delegates from each congressional district; and twenty delegates elected from the state at large. The delegates from each district shall be elected to numbered places. The delegates elected from the state at large shall also be elected to numbered places. The person who desires to become a candidate shall designate the place by number in his declaration of candidacy. The delegates shall be elected at an election to be held in the several counties of the State on the same day as the election provided for in paragraph 1 above.

4. In the event a majority of the electors voting at the election favor holding a constitutional convention, the convening shall be held in the State Capitol and commence at Noon on the first Tuesday of May 1976. The Chief Justice of the Supreme Court of Alabama shall call the convention to order and preside until a permanent convention chairman is elected; in the absence of the Chief Justice, the senior member of the Supreme Court shall act as temporary chairman. Upon convocation of the convention, the assembled delegates shall be sworn to uphold the Constitution and laws of the United States and to perform faithfully the duties of office. The convention shall be the sole judge of the election and qualifications of its members, and, when duly assembled in pursuance of the will of the people, shall have plenary jurisdiction and power to establish ordinances, to perform such acts and to do such things as to it may seem necessary or proper for revising, altering, or amending the existing Constitution. The convention shall remain in session until a revised Constitution of Alabama is framed and provision is made for its adoption or ratification.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Smith (P) to suspend the rules in order to bring up for immediate consideration the resolution, H. J. R. 207, was lost, lacking a four-fifths vote.

Yeas 66; Nays 21.

Yeas:

Messrs.:	Chesnut	Falkenburg	Jones (F)
Adams	Connell	Flippo	King
Adwell	Coshatt	Goodwin	Lutz
Barron	Cottingham	Grainger	McBride
Bassett	Cross	Grey (D)	McCluskey
Benton	Doss	Hale	McDonald
Boutwell	Downing	Hardin	McMillan
Burgess	Drake	Harris	McNair
Carnes	Edwards	Hearn	Manley
Carter	Ellis	Hill	May
Cauthen	Erdreich	Hughes	Meeks

REGULAR SESSION

3711

30th Day

Naramore	Reynolds	Snell	Waggoner
Nettles	Roberts	Stokes	Waldrop
Parker	St. John	Taylor	Wise
Perloff	Slate	Therrell	Wood
Porter	Smith (K)	Timmons	Wynot
Reed (T)	Smith (P)	Turner	—66

Nays:

Mr. Speaker	Gafford	McCorquodale	Pruitt
Boles	Headley	Mathews	Stewart
Callahan	Hobbie	Merrill	Stubbs
Collins	Jackson	Mims	Turner
Crawford	Kinsey	Owens	Warren
Fite			—21

And the resolution, H. J. R. 207, was read and referred to the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McBride, the rules were suspended in order to bring up out of order the bill, H.1825.

Yeas 30; Nays 4.

Yeas:

Messrs.:	Connell	Headley	Parker
Adams	Cross	Hearn	Reynolds
Adwell	Culver	Lang	St. John
Barron	Doss	McBride	Taylor
Boutwell	Erdreich	McCluskey	Timmons
Carnes	Falkenburg	McMillan	Waggoner
Carter	Grainger	McNair	Wynot
Cauthen	Hale	Meeks	—30

Nays:

Messrs.:	Crawford	Harris	Pruitt
Bowers			—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1825. (With Amendment): To provide additional methods of annexing territory to any city of the State having a population of 300,000 or more inhabitants according to the last or any subsequent federal census.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 1825 by deleting in Section 2.(9) the words "thirty per cent" and substituting in lieu thereof the words

"forty (40) per cent".

And the amendment was adopted.

Yeas 37; Nays 3.

Yeas:

Messrs.:	Connell	Hale	Meeks
Adams	Coshatt	Headley	Naramore
Adwell	Cottingham	Hearn	Parker
Barron	Crawford	Jones (F)	Porter
Bassett	Cross	King	St. John
Boutwell	Culver	Lutz	Slate
Carnes	Downing	McBride	Timmons
Carter	Erdreich	McMillan	Wood
Cauthen	Falkenburg	McNair	Wynot
Chesnut	Grainger		

—37

Nays:

Messrs.:	Boles	Bowers	Gafford
----------	-------	--------	---------

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1825 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 41; Nays 2.

Yeas:

Messrs.:	Chesnut	Hardin	Parker
Adams	Connell	Hearn	Porter
Adwell	Cottingham	Jones (F)	St. John
Barkett	Crawford	King	Slate
Barron	Cross	Lutz	Stokes
Bassett	Crowe	McBride	Timmons
Boutwell	Culver	McMillan	Warren
Callahan	Downing	McNair	Wise
Carnes	Erdreich	Meeks	Wood
Carter	Grainger	Naramore	Wynot
Cauthen	Hale		

—41

Nays: Messrs. Bowers and Gafford.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

**REGULAR SESSION
30th Day**

3713

RECESS

On motion of Mr. Bassett, the House recessed for five minutes for a meeting of the Standing Committee on Local Legislation No. 1.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

SPECIAL ORDER RESUMED

And the bill:

H. 286. (With Substitute): To provide per diem allowance for state officers.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To provide subsistence allowances for law enforcement officers while on duty and to authorize expenditure of funds for that purpose.

Be It Enacted by the Legislature of Alabama:

Section 1. Any State law enforcement officer of the State of Alabama who is employed by the Department of Public Safety, Conservation, Alcoholic Beverage Control Board, or Department of Agriculture, shall receive a subsistence allowance of Six and 50/100 Dollars (\$6.50) per day for each working day during a pay period. This allowance shall be in addition to all other compensation, expenses, and allowances provided for such officers.

Section 2. All departments affected hereby are authorized to spend any funds which are appropriated for that department's use for any purpose whatsoever so that the provisions of this Act may be implemented.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker
Adams
Bank

Barkett
Barron
Boutwell

Brassell
Burgess
Carnes

Carter
Cauthen
Connell

30th Day

Cottingham	Hardin	May	Smith (K)
Crawford	Harris	Meeks	Smith (P)
Cross	Headley	Merrill	Stokes
Culver	Hearn	Mims	Stubbs
Doss	Hill	Naramore	Taylor
Downing	Hobbie	Nettles	Turner
Easters	Jackson	O'Daniel	Turnham
Edwards	King	Owens	Waldrop
Erdreich	Kinsey	Porter	Wallace
Fite	Lutz	Pruitt	Warren
Flippo	McCluskey	Roberts	Wise
Gafford	McCorquodale	Robertson	Wood
Grainger	McNair	St. John	Wynot
Grey (D)	Manley	Slate	

—67

And the bill:

H. 286. To provide subsistence allowances for law enforcement officers while on duty and to authorize expenditure of funds for that purpose.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Roberts
Adams	Downing	Lutz	Robertson
Adwell	Drake	McCluskey	Slate
Bank	Easters	McCorquodale	Smith (K)
Barkett	Edwards	McMillan	Smith (P)
Barron	Erdreich	McNair	Snell
Bassett	Fite	Manley	Stokes
Benton	Flippo	May	Stubbs
Boutwell	Goodwin	Meeks	Taylor
Brassell	Grainger	Merrill	Turner
Burgess	Grey (D)	Mims	Turnham
Carnes	Hardin	Naramore	Waggoner
Carter	Harris	Nettles	Waldrop
Chesnut	Headley	O'Daniel	Wallace
Connell	Hearn	Owens	Warren
Cottingham	Hill	Porter	Wise
Crawford	Hobbie	Pruitt	Wood
Cross	Jackson	Reid (R)	Wynot
Culver	King	Reynolds	

—75

And the bill:

H. 985. To amend further Title 51, Section 21, Alabama Code 1940, by further exempting from taxation any tree, bush, vine or other growing thing from which a crop is harvested.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Messrs.:	Bank	Bassett	Brassell
Adams	Barkett	Benton	Carnes
Adwell	Barron	Boutwell	Carter

REGULAR SESSION
30th Day

3715

Cauthen	Grey (D)	Manley	Smith (K)
Chesnut	Hardin	May	Smith (P)
Cottingham	Harris	Meeks	Snell
Crawford	Headley	Merrill	Stokes
Cross	Hearn	Mims	Stubbs
Culver	Hill	Naramore	Taylor
Downing	Hobbie	Nettles	Therrell
Drake	Jackson	O'Daniel	Turner
Easters	Jones (F)	Owens	Turnham
Edwards	King	Porter	Waggoner
Ellis	Kinsey	Pruitt	Waldrop
Erdreich	Lutz	Reid (R)	Wallace
Falkenburg	McCluskey	Reynolds	Warren
Fite	McCorquodale	Roberts	Wise
Flippo	McMillan	Robertson	Wood
Goodwin	McNair	Slate	Wynot
Grainger			

—76

And the bill:

H. 485. To amend Section 458, Title 55, 1940 Code of Alabama, as amended, to permit a retired State Policeman to accept employment within any Department or Agency of the state government of Alabama without being required to become or remain a member of the state retirement system as a condition of their employment, or be denied retirement benefits otherwise earned as a state policeman during such term of employment in a classified position other than state policeman.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Easters	Lang	Roberts
Adams	Edwards	Lutz	Robertson
Bank	Ellis	McCluskey	Slate
Barkett	Erdreich	McCorquodale	Smith (K)
Barron	Falkenburg	McMillan	Smith (P)
Benton	Fite	McNair	Snell
Boutwell	Flippo	Manley	Stokes
Brassell	Gafford	May	Stubbs
Carnes	Goodwin	Meeks	Taylor
Carter	Grainger	Merrill	Therrell
Casey	Grey (D)	Mims	Turner
Chesnut	Hardin	Naramore	Turnham
Collins	Harris	Nettles	Waggoner
Connell	Headley	O'Daniel	Waldrop
Coshatt	Hearn	Owens	Wallace
Crawford	Hill	Porter	Warren
Cross	Jackson	Pruitt	Wise
Culver	Jones (F)	Reid (R)	Wood
Doss	King	Reynolds	Wynot
Downing	Kinsey		

—78

And the bill:

H. 315. To provide that medical services furnished needy persons un-

der any State and/or Federal laws or plans shall include such services performed by Chiropractors.

Was taken up.

MOTION TO RE-REFER TABLED

On motion of Mr. Burgess, the motion offered by Mr. Nettles that the Speaker re-refer the bill, H. 315, was tabled.

Yeas 41; Nays 26.

Yeas:

Messrs.:	Crawford	McDonald	Smith (K)
Bassett	Crowe	Meeks	Snell
Boles	Drake	Merrill	Stewart
Bowers	Ellis	Mims	Stubbs
Brassell	Fite	Naramore	Therrell
Burgess	Goodwin	Owens	Waldrop
Carnes	Headley	Porter	Wallace
Collins	Hobbie	Reid (R)	Warren
Connell	Hughes	Reynolds	Wise
Coshatt	Jackson	Robertson	Wynot
Cottingham	Jones (F)		

—41

Nays:

Messrs.:	Doss	Lang	Roberts
Barkett	Erdreich	Lutz	Slate
Barron	Falkenburg	McBride	Stokes
Boutwell	Grainger	McMillan	Turner
Cauthen	Grey (D)	McNair	Turnham
Chesnut	Harris	Nettles	Wood
Cross	King	Perloff	

—26

And the bill, H. 315, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 25.

Yeas:

Messrs.:	Crawford	Hughes	Robertson
Adwell	Cross	Jones (F)	St. John
Bank	Crowe	McCorquodale	Smith (K)
Barron	Drake	McDonald	Snell
Boles	Edwards	Manley	Stewart
Bowers	Ellis	Meeks	Stubbs
Brassell	Fite	Merrill	Therrell
Burgess	Flippo	Mims	Waldrop
Carnes	Goodwin	Naramore	Wallace
Carter	Hale	Owens	Warren
Connell	Headley	Pruitt	Williams
Coshatt	Hearn	Reid (R)	Wise
Cottingham	Hobbie	Reynolds	Wynot

—51

Nays:

Messrs.:	Chesnut	Falkenburg	Harris
Boutwell	Doss	Grainger	Hill
Cauthen	Erdreich	Grey (D)	King

REGULAR SESSION
30th Day

3717

Lang
Lutz
McBride
McCluskey

McMillan
McNair
Nettles
Perloff

Roberts
Slate
Smith (P)

Stokes
Turner
Wood

—25

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Wilson:

S. J. R. 87. COMMENDING MARTIN GRIMES ON HIS EXCELLENT BOOK, "TURNIP GREENS AND SERGEANT STRIPES."

WHEREAS Martin Grimes, a native of Bradleypoint, Alabama, has written a brilliant, comical and hilarious book, "Turnip Greens and Sergeant Stripes", which is about growing up in the South in the lean years of the depression and thereafter; and

WHEREAS his zany 79 word "Southern Vocabulary or Correct English" with such listings as sud'en ("Rat now or quick-like") and sho' ("True; or the bank of a creek. Also a 'picture sho'") sends the reader on a laughing fit; and

WHEREAS this body wishes one of its native sons much success in his new career as a writer. Mr. Grimes retired in 1962 after a long and successful career in the United States Army in which he was awarded several decorations; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes a native son, Martin Grimes, much success with his book "Turnip Greens and Sergeant Stripes" and we hope that the future will bring many more humorous "Tall Tales" from his talented pen.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Martin Grimes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Crowe, the House concurred in and adopted the resolution, S. J. R. 87, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1636. To further amend Sections 1, 2, 3, and 6 of Act No. 22 of the Second Special Session of the Legislature of Alabama of 1956, approved March 23, 1956 (Alabama Acts, 1956 Special Sessions, Page 290) as heretofore amended, relating to deductions from salary and rights and benefits and

pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama 1943, approved June 28, 1943 (General Acts Alabama 1943, Page 264) and the predecessors of said Act.

Also:

H. 1513. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a Policeman's Pension System for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), heretofore amended.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1528. To authorize and empower the Madison County Commission, upon the request of the president of the jury commission of Madison County, to provide whatever clerical or administrative assistance, as well as any other supplies of any sort or type as may be required in carrying out the duties, functions or obligations of the office; to repeal conflicting laws.

Also:

H. 1668. To amend Section 2 of Act No. 1810, H. 2248, Regular Session 1971 (Acts 1971, p. 2979) relating to the meetings of Boards of Registrars in counties having populations of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census so as to provide further for the acceptance of applications for registration in such counties.

Also:

H. 1569. Relating to all Counties in the State of Alabama having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial Census; relieving the Clerk and Register of the Circuit Court of all such Counties of the duty of subscribing for, taking, filing, causing to be bound, and kept in their respective offices, copies of daily and weekly Newspapers published in the County.

Also:

H. 1717. Relating to Hale County; providing for the election of the associate members of the county governing body.

Also:

H. 1565. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; authorizing the county governing body to provide further for the compensation of the judge of law and equity court in such counties.

REGULAR SESSION
30th Day

3719

Also:

H. 1644. Relating to Blount County; requiring every county officer, including members of the House of Representatives, within such county to file with the probate judge certain financial data; and providing penalties for failure to comply with the provisions of this act.

Also:

H. 1614. To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, in Equity.

Also:

H. 1477. To alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

Also:

H. 1479. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Wilsonville, Alabama so as to incorporate certain territory as described herein.

Also:

H. 1729. Relating to counties having a population of not less than 41,750 nor more than 45,000; to provide for the payment of per diem allowance to members of boards of registrars in such counties.

Also:

H. 1267. To amend Act No. 1171, Section 3, fixing the salary of Deputy District Attorney No. 1 and Deputy District Attorney No. 2 of Henry County, Alabama, and providing for payment thereof.

Also:

H. 1269. Relating to Counties having a population of not less than 13,200 nor more than 13,800 according to the most recent Federal decennial census; to grant an allowance to the Circuit Clerk of such Counties for clerical assistance.

Also:

H. 1266. Relating to counties having a population of not less than 13,200 nor more than 13,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1665. Relating to counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; levying privilege or license taxes upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county commission, board or revenue, or like governing body of

such counties and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1738. Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

Also:

H. 1733. To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

Also:

H. 1632. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette, in Fayette County.

Also:

H. 1518. Relating to all counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties.

Also:

H. 1379. Relating to the eleventh judicial circuit; providing an expense allowance for all judges of such circuit; providing for a county salary supplement for such judges at the beginning of their next term of office.

Also:

H. 1424. To authorize the City of Jacksonville in Calhoun County to establish, maintain and operate a non-profit ambulance service.

Also:

H. 1610. To provide in Calhoun County, Alabama, for the creation and maintenance of districts for fighting or preventing fires; to provide that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of at least 100 qualified electors residing within any proposed district the Probate Judge shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide

that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms of office of the members of the board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for all expenses incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the act and, subject to the limitations prescribed in the act, to provide that no such service charge shall be levied unless the same is first approved by a majority of the votes cast at an election held by the qualified electors residing within the district; to provide for the dissolution of any such district; to provide that the provisions of the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the act shall take effect.

Also:

H. 1531. To amend Act No. 464, H. 1033, approved November 13, 1959, relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

Also:

H. 1656. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

Also:

H. 1666. To authorize and permit flea markets to remain open on Sunday in each county of the State having a population of not less than 90,000 and not more than 100,000 according to the most recent federal de-

cennial census, provided such flea market does not have on duty more than three employees at any one time on Sunday; and to provide for licensing such flea markets by the license issuing officer of such county.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. King:

S. J. R. 88. ENCOURAGING CITIZENS TO OBSERVE THE NATIONAL DEMOCRATIC PARTY'S FUND RAISING TELETHON TO BE BROADCAST ON NBC ON SEPTEMBER 15, 1973.

WHEREAS the National Democratic Party Committee has organized and will present a national telethon to be broadcast over the NBC television network on the evening of September 15, 1973; and

WHEREAS this program offers a unique opportunity to reform political fund-raising procedures by offering Americans a real chance to take government out of the hands of special interests and to prove that the public will finance the political system if given the opportunity; and

WHEREAS this National Democratic Party Committee telethon seeks to interest and involve Americans in a political system they feel left out of and seeks to help restore faith in the two-party system by demonstrating that it works. The success of the telethon will give the Democratic Party a sound base for upcoming campaigns; and

WHEREAS the Democratic Party in Alabama will share in one-half the proceeds collected in the state with the other one-half of the proceeds to be sent to the National Democratic Party; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body encourages its members and the citizens of this state to participate in this most important program and to enjoy the marvelous parade of prominent entertainers who will perform during this program.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 88, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. O'Bannon:

S. 759. To authorize the incorporation in any county in this state having a population of not less than 50,000 nor more than 100,000 according to the most recent federal decennial census of one or more public corporations for hospital purposes, including the acquisition, financing, owning, operating and/or leasing of hospitals, clinics, sanatoria, nursing homes, offices for persons engaged in the diagnosis, treatment or cure of sick or injured persons and buildings to house or service equipment used for the diagnosis or treatment of sick or injured persons or the records of such diagnosis or treatment or research with respect to any of the foregoing, or for dormitories or residences for hospital personnel and students, together with all real property for the location or better utilization of a hospital, medical clinic, buildings, parking areas, garages, storage facilities, outbuildings, machinery, equipment, furniture and fixtures useful or desirable in the operation of any of the aforesaid facilities; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to provide for the offices of Chairman and Vice Chairman of the board of directors of such corporation; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, all lease agreements made by such corporation and all revenues derived from such leases, and the income and properties of such corporation; to provide for the dissolution of such corporation; to exempt such corporations from the laws of this State governing usury or limiting interest rates and competitive bidding; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, any funds and assets, tangible or intangible, relative to the ownership or operation of any hospital, and funds raised or allocated for hospital purposes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 759. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 636. To fix the compensation or salary of the assistant Tax Assessors or deputy Tax Assessor of any branch office of the Tax Assessor in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Also:

H. 638. To fix the compensation or salary of the assistant Tax Collector or deputy Tax Collector of any branch office of the Tax Collector in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Also:

H. 689. In all counties having a population of 500,000 or more according to the last or any succeeding Federal Decennial Census. Each member of the jury board, Commission or like body shall be paid an additional sum of fifty dollars (\$50.00) per month, to be paid monthly out of the County Treasury.

Also:

H. 776. To fix the compensation or salary of the Assistant to the Sheriff of any branch office of the Sheriff in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof; and to change the designation of said office to "Assistant Sheriff".

Also:

H. 287. To fix and prescribe the salary of the tax collector in each county having a population of 600,000 or more according to the last or any subsequent federal census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 893. To further amend Section 3 of Act No. 695, H. 1072, Regular Session 1951 (Acts 1951, p. 1198), as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Also:

H. 1328. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in Marengo and Sumter Counties and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Also:

H. 1574. Providing for expense allowances for the tax assessor and for the tax collector of counties having populations of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census.

Also:

H. 1393. To provide that the county governing body, the governing body of any municipality, and the governing body of any hospital in all counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, wherein there is no established emergency ambulance service, shall be authorized and empowered to execute contracts with ambulance services in any adjacent counties to provide for ambulance service to such counties, the municipalities and hospitals thereof.

Also:

H. 1737. To provide compensation for the Court bailiff of Houston County, Alabama.

Also:

H. 1736. To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

Also:

H. 1605. To provide for the relief of R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Halstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise, all of Houston County; making an appropriation of Five Thousand Thirty Nine Dollars and Forty Cents from the Gasoline fund of said county.

Also:

H. 1606. To provide an expense allowance for the Clerk Circuit Court and the Register of the Circuit Court of Houston County, Alabama.

Also:

H. 1604. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Also:

H. 1602. Relating to Houston County; to provide for a minimum annual salary for all full time county employees and to provide that all annual raises for county employees shall become effective only on October 1, of each year.

Also:

H. 1446. Relating to counties having a population of not less than 52,500 nor more than 54,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1205. To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

Also:

H. 1735. To amend Section 6 of Act No. 938, H. 1359, Regular Session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: "An Act to abolish the Board of Revenue for Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county".

Also:

H. 1344. Proposing an amendment to the Constitution of Alabama relative to the Buttahatchee River watershed Area.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1167. To apply only in counties in the state having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 836. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

H. 858. To provide retirement allowances for elected officials in the City of Bessemer, Alabama, and to provide for the payment of such allowances.

Also:

H. 873. To further amend Section 4.04 of Act No. 452, Regular Session 1955, as amended, providing a Mayor-Council form of government for all cities having a population of more than 300,000 inhabitants.

Also:

H. 900. To provide retirement allowances for elected officials and former elected officials and former employees who are or have been elected officials of all municipalities of the state having a population of 300,000 or more according to the last and subsequent federal census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1268. Relating to Henry County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act.

Also:

H. 1643. Relating to the office of the sheriff in Blount County; regulating the number of compensation of certain officers and employees of the

sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Also:

H. 1451. To amend Section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

Also:

H. 1115. Relating to counties having a population of not less than 16,245 nor more than 15,300 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1453. To further amend Section 10, Act No. 334, Regular Session 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

Also:

H. 1116. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1718. To repeal Act No. 2022, H. 2507, Regular Session 1971 (Acts 1971, p. 3261) which provided for the election of the associate members in the county governing body in counties having a population of 15,650 to 16,200.

Also:

H. 1667. To authorize and permit grocery stores to remain open on Sunday in each county in the state having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, provided that each such grocery store shall first obtain a special license from the license issuing officer of such county.

Also:

H. 1348. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the election and qualifications of said superintendent.

Also:

H. 1642. To provide for additional compensation and method of payment of the Register In Equity of the Circuit Court of counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census.

REGULAR SESSION
30th Day

3729

Also:

H. 1603. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Also:

H. 1697. To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

Also:

H. 1629. Applicable to any county with a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the members of the county governing body of such county.

Also:

H. 1628. Applicable to any county having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the coroner of such county.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

And the bill:

H. 285. To authorize each of the municipalities in this State to provide buildings and other facilities for lease to and use by one or more regional, national or international association or organization, one or more of the purposes or objects of which shall consist of one or more of the following: the promotion of patriotism or good citizenship, the development of civic pride or consciousness, the improvement of trade, business, professional or economic conditions, or the promotion of health, safety, conservation, community beautification, or community welfare, and the membership of which regional, national or international association or organization shall include (1) persons, firms or corporations residing or domiciled in not less than twelve of the states of the United States, including at least two such members residing or domiciled in the State of Alabama, or (2) local organizations or clubs with like objects or purposes situated in not less than twelve of the states of the United States, including at least two such organizations or clubs situated in the State of Alabama; to authorize municipalities to acquire one or more projects consisting of buildings for the supplying of offices, storage and related facilities to such regional, national or international organizations, together with any lands or interests therein deemed desirable in connection therewith, to improve, enlarge, expand, equip, furnish, insure and maintain one or more such projects, to lease such properties subject to certain specified requirements, to finance the cost of such acquisition, improvement, enlargement, expansion, equipment and furnishing by the issuance of revenue bonds payable

solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties and to enter into contracts and agreements and to do all acts necessary for or incidental to the performance of the duties and the execution of the powers of a municipality under said Act; to provide that such bonds shall not be subject to the laws of the State of Alabama governing usury; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the Act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder and any deeds or other documents whereby properties are acquired by a municipality under the Act; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that the provisions of Act No. 217 of the 1967 Special Session of the Legislature which relate to competitive bidding shall not be applicable to any contracts made by municipalities under the Act; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Was taken up.

Mr. Cauthen offered the following amendment to the bill:

Amend H. B. 285 by striking therefrom Section 11 in its entirety and by renumbering all succeeding Sections.

And the amendment was adopted.

Yeas 80; Nays 1.

Yeas:

Mr. Speaker	Downing	Jones (F)	Pruitt
Adams	Easters	Kinsey	Reid (R)
Adwell	Edwards	Lang	Reynolds
Bank	Ellis	Lutz	Roberts
Barkett	Erdreich	McBride	Robertson
Bassett	Falkenburg	McCorquodale	Slate
Benton	Fite	McDonald	Smith (K)
Boles	Flippo	McMillan	Smith (P)
Boutwell	Gafford	McNair	Snell
Brassell	Goodwin	Manley	Stokes
Carnes	Grainger	May	Taylor
Carter	Grey (D)	Meeks	Therrell
Casey	Hale	Merrill	Turner
Cauthen	Hardin	Mims	Waggoner
Chesnut	Harris	Naramore	Waldrop
Coshatt	Hearn	Nettles	Warren
Cottingham	Hill	O'Daniel	Williams
Cross	Hobbie	Owens	Wise
Crowe	Hughes	Parker	Wood
Doss	Jackson	Porter	Wynot

—80

Nay: Mr. McCluskey.

—1

REGULAR SESSION
30th Day

3731

And the bill, H. 285 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	Reid (R)
Adams	Drake	Lang	Reynolds
Adwell	Easters	Lutz	Roberts
Bank	Edwards	McBride	Robertson
Barkett	Ellis	McCluskey	St. John
Barron	Erdreich	McCorquodale	Slate
Bassett	Falkenburg	McDonald	Smith (P)
Benton	Fite	McMillan	Snell
Boles	Flippo	McNair	Stewart
Boutwell	Gafford	Manley	Stokes
Brassell	Goodwin	Mathews	Stubbs
Carnes	Grainger	May	Taylor
Carter	Hale	Meeks	Therrell
Casey	Hardin	Merrill	Timmons
Cauthen	Harris	Mims	Turner
Chesnut	Headley	Naramore	Waggoner
Collins	Hearn	Nettles	Wallace
Coshatt	Hill	O'Daniel	Warren
Cottingham	Hobbie	Owens	Williams
Cross	Hughes	Parker	Wise
Crowe	Jackson	Porter	Wood
Culver	Jones (F)	Pruitt	Wynot
Doss	King		

—90

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all Jefferson County Representatives voting "Yea" on the bill, H. 285, to be added as co-sponsors to the bill, H. 285.

RESOLUTION

The following resolution was introduced:

By Messrs. King, Smith (P), Cauthen, Chesnut, Porter, Erdreich, Cross, Taylor, Crowe, Waggoner, Boutwell, Carter, Carnes, Hobbie, Flippo, Owens, Bank, Hale, Barron, Grainger, McBride, Ellis, Collins, McDonald, Waldrop, Reid (R), Grey (D), St. John, Timmons, Hill, Hardin, Burgess, Turner, Wynot, Adwell, Bowers, Falkenburg, Edwards, Culver, Perloff, Mims, Reed (T), Hearn, Casey, Stokes, Roberts, Nettles, Coshatt, Wood, Snell, Callahan, Barkett, Lyons, Doss, Drake, Adams, McMillan, McNair and Meeks:

H. J. R. 208. URGING CREATION OF ENVIRONMENTAL LAND AND WATER MANAGEMENT COMMITTEE.

WHEREAS, there is a need for an environmental land and water management committee; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That such a committee be created as follows:

(1) There is hereby created an environmental land management study committee to consist of six members. The president of the Senate shall appoint three members. The Speaker of the House shall appoint three members. Members of the committee shall be entitled to receive their regular legislative compensation and allowances for each day while in attendance of committee meetings, when not drawing their regular legislative pay; but in no event shall the committee's expenses and compensation exceed \$6,000 which shall be paid out of any funds appropriated to the use of the legislators. The committee shall continue in existence until its duties are terminated, but not later than the tenth legislative day of the 1975 Regular Session, at which time the committee shall be desolved.

(2) The committee shall study all facets of land resource management and land development regulation with a view toward insuring that Alabama's land use laws give the highest quality of human amenities and environmental protection consistent with a sound and economic pattern of well planned development, and shall recommend such new legislation or amendments to existing legislation as are needed to achieve that goal.

(3) As part of its work the committee shall review the land use laws of other states, the relevant federal laws, the progress of the American Law Institute's project to draft a model land development code, and the general pattern of courts' decisions in the land use area. The committee shall examine techniques for encouraging new types of well planned development including methods of regulating planned unit developments and new communities.

(4) The committee shall also consult with local governments and regional planning agencies regarding their land use problems, consult with relevant state agencies, and shall obtain the views of the public, including the views of businesses and professions concerned with use of land, and of other interested groups.

(5) The committee shall be authorized to apply for and accept any available federal grants for such studies.

(6) The committee shall be authorized to appoint such advisory committees, representatives of state and local governmental organizations and professional organizations which, in the determination of the committee, shall facilitate the studies of said committee.

(7) The committee shall prepare and submit to the governor and the legislature not later than the tenth legislative day of the 1975 Regular Session, a report which shall contain:

(a) Such proposals for changes in legislation as are recommended by the committee.

(b) Drafts of model development ordinances which will assist local governments in adopting development ordinances as required by this act;

(c) Analyses of and comments on other relevant state-commissioned studies and reports;

(d) Review of, and recommendations on, the current status and effectiveness of regional planning agencies with regard to land and water management; and

REGULAR SESSION
30th Day

3733

(e) Such other findings and recommendations as the committee chooses to make.

(8) The Alabama Development Office shall provide necessary staff to the committee.

(9) Prior to submitting any recommendation or issuing any rule under this resolution, the Office of State Planning shall consult with and obtain the advice of the committee.

The resolution was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 185. RELATIVE TO ADJOURNMENT OF THE TWO HOUSES.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

And the bill:

H. 339. To make an appropriation to the department of agriculture and industries for the two fiscal years ending September 30, 1974 and September 30, 1975, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera and African swine fever.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hearn	Mims
Adwell	Cross	Hill	Naramore
Bank	Crowe	Hobbie	Nettles
Barkett	Culver	Jackson	O'Daniel
Barron	Downing	Jones (F)	Owens
Bassett	Drake	King	Parker
Benton	Ellis	Kinsey	Perloff
Boles	Erdreich	Lang	Porter
Boutwell	Falkenburg	Lutz	Pruitt
Brassell	Fite	McBride	Reid (R)
Burgess	Flipppo	McCluskey	Reynolds
Carnes	Gafford	McCorquodale	Roberts
Carter	Goodwin	McDonald	Robertson
Casey	Grainger	McMillan	St. John
Chesnut	Hale	McNair	Slate
Collins	Hardin	Manley	Smith (P)
Connell	Harris	May	Snell
Coshatt	Headley	Meeks	Stokes

Stubbs
Taylor
Therrell

Timmons
Turner
Waldrop

Wallace
Warren
Williams

Wise
Wood
Wynot

—84

And the bill:

H. 142. To provide that school principals shall supervise the operation and management of schools under policies determined by local boards of education and to assign school principals administrative responsibilities and the coordination of instructional leadership under the supervision of the local school superintendent and to provide that school principals shall have the right to submit to the superintendent recommendations on all personnel.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Bank	Drake	Lutz	Robertson
Barkett	Edwards	McBride	St. John
Barron	Ellis	McCluskey	Slate
Bassett	Erdreich	McCorquodale	Smith (K)
Benton	Falkenburg	McDonald	Smith (P)
Boles	Fite	McMillan	Snell
Boutwell	Flippo	McNair	Stewart
Brassell	Gafford	Manley	Stokes
Burgess	Goodwin	May	Stubbs
Carnes	Grainger	Meeks	Taylor
Carter	Hale	Merrill	Therrell
Casey	Hardin	Mims	Turner
Cauthen	Harris	Nettles	Waggoner
Chesnut	Headley	O'Daniel	Waldrop
Collins	Hearn	Owens	Wallace
Connell	Hill	Parker	Warren
Coshatt	Hobbie	Porter	Williams
Cross	Hughes	Pruitt	Wise
Crowe	Jackson	Reed (T)	Wynot

—88

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Stokes, the rules were suspended in order to bring up out of order the bill, S. 149.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker	Boles	Cauthen	Culver
Adams	Boutwell	Chesnut	Downing
Adwell	Brassell	Collins	Drake
Bank	Burgess	Connell	Edwards
Barkett	Carnes	Coshatt	Ellis
Barron	Carter	Cottingham	Erdreich
Bassett	Casey	Cross	Fite

REGULAR SESSION
30th Day

3735

Flippo	Kinsey	Owens	Stewart
Goodwin	Lutz	Parker	Stokes
Grainger	McBride	Perloff	Stubbs
Hale	McCluskey	Porter	Taylor
Harris	McCorquodale	Pruitt	Therrell
Headley	McDonald	Reed (T)	Turner
Hearn	McMillan	Reynolds	Waldrop
Hill	McNair	Roberts	Wallace
Hobbie	Manley	Robertson	Warren
Hughes	May	St. John	Williams
Jackson	Meeks	Slate	Wood
Jones (F)	Mims	Smith (P)	Wynot
King	Nettles	Snell	

—79

Nay: Mr. Smith (K).

—1

And the bill:

S. 149. To provide for the formation of local school board employee groups for the purpose of securing group insurance and other benefits.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Roberts
Adams	Culver	Kinsey	Robertson
Adwell	Downing	Lutz	St. John
Bank	Edwards	McBride	Slate
Barkett	Ellis	McCluskey	Smith (K)
Barron	Erdreich	McDonald	Smith (P)
Boles	Fite	McMillan	Snell
Boutwell	Flippo	McNair	Stewart
Brassell	Gafford	Manley	Stokes
Burgess	Goodwin	May	Stubbs
Carnes	Grainger	Mims	Taylor
Carter	Hale	Nettles	Therrell
Casey	Harris	Owens	Timmons
Cauthen	Headley	Parker	Waldrop
Chesnut	Hearn	Perloff	Wallace
Collins	Hill	Porter	Warren
Connell	Hobbie	Pruitt	Williams
Coshatt	Hughes	Reed (T)	Wise
Cottingham	Jackson	Reynolds	Wynot
Cross			

—77

SPECIAL ORDER RESUMED

And the bill:

H. 265. To provide for the formation of local school board employee groups for the purpose of securing group insurance and other benefits.

Was taken up.

H. 265 POSTPONED

On motion of Mr. Stokes, the bill, H. 265, was indefinitely postponed.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 209. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, August 21, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 173. REQUESTING STATE PERSONNEL BOARD TO SURVEY ENVIRONMENTAL AND INDUSTRIAL PROFESSIONAL AND TECHNICAL PERSONNEL CLASSIFICATIONS IN SOUTHEASTERN REGION.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 167. COMMENDING MRS. JUANITA LEDBETTER UPON BEING NAMED PRESIDENT OF THE ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL.

Also:

H. J. R. 168. MOURNING THE DEATH OF MR. WILLIAM A. OLDACRE.

Also:

H. J. R. 169. COMMENDING MR. BART STARR.

Also:

H. J. R. 170. COMMENDING JOHN T. "TOMMY" KIRK.

Also:

H. J. R. 171. COMMENDING LEWIS E. McCRAY FOR HIS AMERICAN LEGION AND OTHER CIVIC ACTIVITIES, AND WISHING HIM THE BEST OF LUCK TOWARD HIS ELECTION AS NATIONAL COMMANDER OF THE AMERICAN LEGION.

Also:

H. J. R. 180. MOURNING THE DEATH OF JOHN MYRICK
ASHLEY, JR.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1728. Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

Also:

H. 1517. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of members of the county governing body.

Also:

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

Also:

H. 1639. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ashville in St. Clair County.

Also:

H. 1377. Relating to the eleventh judicial circuit; providing for the annual compensation of the chief deputy district attorney of such circuit.

Also:

H. 752. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Also:

H. 1520. Relating to Chambers County; to authorize the county governing body to expend county monies for health services, including emergency ambulance services.

Also:

H. 1566. Relating to any county having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; providing further for the expense allowances of members of the county commission in such counties.

Also:

H. 1325. Relating to all counties having a population of not less than 24,000 nor more than 24,800 according to the most recent Federal Decennial Census: to provide for expenses to preprint motor vehicle registration assessment sheets and tag receipts not to exceed \$2,500.00 in any one year subject to the approval and appropriation by the County Governing Body.

Also:

H. 1326. To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Also:

H. 1374. To abolish the drawing of special venires in capital cases in the Thirty-Third Judicial Circuit of Alabama.

Also:

H. 1373. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-Third Judicial Circuit of Alabama.

Also:

H. 1519. Relating to all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 1246. To amend Section 4 of Act No. 1789, H. 1900, Regular Session 1971 (Acts 1971, p. 2957), which act provides for the selection of the Superintendent of Education of Geneva County, so as to further provide for his traveling expense; providing retroactive effect.

Also:

H. 1372. Relating to judicial procedure in the Thirty-Third Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Also:

H. 1731. To provide additional exemptions from the Marion County sales and use tax law.

McDOWELL LEE,
Secretary.

REGULAR SESSION
30th Day

3739

SPECIAL ORDER RESUMED

And the bill:

H. 1349. (With Amendment): Relating to income tax exemptions; to exempt from payment of income taxes, certain gains received from the sale of any residence when the gain from such sale is used to purchase a new residence for the seller; and to further provide for exemption from tax for a portion of the gain from the sale of a residence by a person 65 years old or older when no new residence is purchased.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 1 of House Bill 1349 by adding at the end of Section 1 the following:

For the purposes of this Act—property called “new residence” means and includes only property located within the State of Alabama.

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Reynolds
Adams	Drake	Kinsey	Roberts
Bank	Easters	Lutz	Robertson
Barkett	Edwards	McBride	St. John
Barron	Ellis	McCluskey	Slate
Boles	Falkenburg	McCorquodale	Smith (K)
Boutwell	Fite	McDonald	Smith (P)
Bowers	Flippo	McMillan	Snell
Brassell	Gafford	McNair	Stewart
Burgess	Goodwin	Manley	Stokes
Callahan	Grainger	Mathews	Stubbs
Carnes	Hale	May	Taylor
Carter	Hardin	Meeks	Therrell
Casey	Harris	Merrill	Timmons
Cauthen	Headley	Mims	Waldrop
Chesnut	Hearn	Naramore	Wallace
Collins	Hill	Parker	Warren
Connell	Hobbie	Perloff	Williams
Cross	Hughes	Porter	Wood
Crowe	Jackson	Pruitt	Wynot
Culver	Jones (F)		

—82

And the bill, H. 1349 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Barron	Bowers	Carter
Adams	Bassett	Brassell	Casey
Bank	Boles	Callahan	Cauthen
Barkett	Boutwell	Carnes	Chesnut

Collins	Grainger	McMillan	Slate
Connell	Hale	McNair	Smith (K)
Coshatt	Hardin	Manley	Smith (P)
Cottingham	Harris	Mathews	Snell
Cross	Headley	May	Stewart
Crowe	Hearn	Meeks	Stokes
Culver	Hill	Merrill	Stubbs
Doss	Hobbie	Mims	Taylor
Downing	Hughes	Naramore	Therrell
Easters	Jackson	Parker	Timmons
Edwards	Jones (F)	Perloff	Turner
Ellis	King	Porter	Waggoner
Erdreich	Kinsey	Pruitt	Waldrop
Falkenburg	Lutz	Reed (T)	Wallace
Fite	McBride	Reynolds	Warren
Flippo	McCluskey	Roberts	Williams
Gafford	McCorquodale	Robertson	Wood
Goodwin	McDonald	St. John	Wynot

—88

And the bill:

H. 1334. To provide for the establishment, regulation of, and an appropriation for the financing of a scholarship loan and awards program for the study of dentistry; replacing Act No. 793 of Acts of Alabama, Regular Session 1965.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Doss	King	Roberts
Adwell	Downing	Kinsey	Robertson
Bank	Edwards	Lutz	St. John
Barron	Ellis	McBride	Slate
Boles	Erdreich	McCluskey	Smith (K)
Boutwell	Falkenburg	McCorquodale	Smith (P)
Bowers	Fite	McDonald	Snell
Brassell	Flippo	McMillan	Stokes
Burgess	Gafford	McNair	Taylor
Callahan	Goodwin	Manley	Therrell
Carnes	Grainger	May	Timmons
Carter	Hale	Meeks	Turner
Casey	Hardin	Merrill	Waggoner
Cauthen	Harris	Mims	Waldrop
Chesnut	Hearn	Naramore	Wallace
Connell	Hill	Perloff	Warren
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot

—80

And the bill:

H. 1335. To provide for a scholarship program for medical education; to repeal Act No. 278 adopted at the First Special Session of 1965 of the Legislature of Alabama and making an appropriation therefor.

REGULAR SESSION
30th Day

3741

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Roberts
Adams	Doss	Kinsey	Robertson
Adwell	Downing	Lutz	St. John
Bank	Easters	McBride	Slate
Barkett	Edwards	McCluskey	Smith (K)
Barron	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Hale	Merrill	Turner
Carter	Hardin	Mims	Waggoner
Casey	Harris	Naramore	Waldrop
Cauthen	Headley	Parker	Wallace
Chesnut	Hearn	Perloff	Warren
Collins	Hill	Porter	Williams
Connell	Hobbie	Pruitt	Wise
Coshatt	Hughes	Reed (T)	Wood
Cottingham	Jackson	Reynolds	Wynot
Cross	Jones (F)		

—90

And the bill:

H. 1435. To amend Title 51, Section 2 (f), Code of Alabama 1940, as amended, which relates to exemptions to the state ad valorem tax, so as to provide an exemption for surviving spouses of blind persons.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Connell	Hale	McMillan
Adams	Coshatt	Hardin	McNair
Bank	Cottingham	Harris	Manley
Barkett	Cross	Headley	Mathews
Barron	Crowe	Hearn	May
Benton	Culver	Hill	Meeks
Boutwell	Downing	Hobbie	Merrill
Bowers	Drake	Hughes	Mims
Brassell	Easters	Jackson	Naramore
Burgess	Edwards	Jones (F)	Owens
Callahan	Ellis	King	Parker
Carnes	Falkenburg	Kinsey	Perloff
Carter	Fite	Lutz	Porter
Casey	Flippo	McBride	Reed (T)
Cauthen	Gafford	McCluskey	Reid (R)
Chesnut	Goodwin	McCorquodale	Reynolds
Collins	Grainger	McDonald	Roberts

Robertson	Stewart	Timmons	Warren
St. John	Stokes	Turner	Williams
Slate	Stubbs	Waggoner	Wise
Smith (K)	Taylor	Waldrop	Wood
Smith (P)	Therrell	Wallace	Wynot
Snell			

—89

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Culver, the rules were suspended in order to bring up out of order the bill, H. 1796.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Culver	Lutz	Roberts
Adams	Downing	McBride	Robertson
Bank	Easters	McDonald	St. John
Barkett	Edwards	McMillan	Slate
Barron	Ellis	McNair	Smith (K)
Bassett	Falkenburg	Manley	Snell
Benton	Fite	Mathews	Stewart
Boutwell	Flippo	May	Stokes
Bowers	Gafford	Meeks	Stubbs
Brassell	Goodwin	Merrill	Taylor
Burgess	Grainger	Mims	Therrell
Callahan	Hale	Naramore	Timmons
Carnes	Hardin	Owens	Turner
Carter	Harris	Parker	Waldrop
Cauthen	Hearn	Perloff	Wallace
Chesnut	Hill	Porter	Warren
Collins	Hobbie	Pruitt	Williams
Connell	Hughes	Reed (T)	Wise
Coshatt	Jones (F)	Reid (R)	Wood
Cottingham	King	Reynolds	Wynot
Cross	Kinsey		

—82

And the bill:

H. 1796. Relating to taxation; providing an additional personal exemption for individual income taxpayers who are blind.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cross	Gafford
Adams	Callahan	Crowe	Goodwin
Bank	Carnes	Culver	Grainger
Barkett	Carter	Doss	Hale
Barron	Casey	Downing	Hardin
Bassett	Cauthen	Easters	Harris
Benton	Chesnut	Edwards	Hearn
Boles	Collins	Ellis	Hill
Boutwell	Connell	Falkenburg	Hobbie
Bowers	Coshatt	Fite	Hughes
Brassell	Cottingham	Flippo	Jackson

REGULAR SESSION
30th Day

3743

Jones (F)	May	Reynolds	Timmons
King	Meeks	Roberts	Turner
Kinsey	Merrill	Robertson	Waggoner
Lutz	Mims	St. John	Waldrop
McBride	Naramore	Slate	Wallace
McCorquodale	Owens	Smith (K)	Warren
McDonald	Perloff	Snell	Williams
McMillan	Porter	Stewart	Wise
McNair	Pruitt	Stokes	Wood
Manley	Reed (T)	Taylor	Wynot
Mathews	Reid (R)	Therrell	

—87

And the bill:

H. 216. (With Substitute): To provide for transfer of certain members of the Employees' Retirement System of Alabama under Section 12 of Act 515 of 1945 Act as amended who are otherwise eligible to become members of the Teachers' Retirement System of Alabama under the provisions of Act #2307 of the 1971 Legislature.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for transfer of certain members of the Employees' Retirement System of Alabama under Section 12 of Act 515 of 1945 Act as amended who are otherwise eligible to become members of the Teachers' Retirement System of Alabama under the provisions of Act #2307 of the 1971 Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. All employees of City and County Boards of Education and Special Schools under the direct control of the State Board of Education now covered in the Employees' Retirement System of Alabama under the provisions of Section 12 of Act #515 of the 1945 Act, as amended, who would have been eligible for coverage in the Teachers' Retirement System of Alabama under the provisions of Act #2307 of the 1971 Legislature except for being covered in the Employees' Retirement System of Alabama, may be enrolled and transferred to the Teachers' Retirement System of Alabama by their Employer with all credits as has been established in the Employees' Retirement System of Alabama.

Section 2. Upon enrollment and transfer to the Teachers' Retirement System of Alabama, such employee shall be deemed to be a "teacher" under the Teachers' Retirement law and shall make contributions as all other teachers and shall receive benefits as all other teachers who enroll under the provisions of Act #2307 of the 1971 Legislature.

Section 3. The accumulated contributions of each such employee under the Employees' Retirement System of Alabama shall be transferred to the Teachers' Retirement System of Alabama and credited to the employee's indi-

vidual account in the Annuity Savings Fund under that System. As soon as practicable after the transfer of such employees, an actuarial valuation of the assets and liabilities under the Employees' Retirement System on account of each employer of such employees shall be made. On the basis of said valuation, the Actuary shall allocate the present assets of the Employees' Retirement System attributable to each such employer, exclusive of the member's accumulated contributions, as follows:

(1) First, an amount shall be allocated equal to the reserve required for retired employees and beneficiaries of deceased employees of the employer.

(2) Second, any remaining assets shall be allocated actuarially between the employees who shall have transferred to the Teachers' Retirement System and the employees, if any, who remain as members under the Employees' Retirement System.

The amount of assets allocated in step (2) above to the members who shall have transferred to the Teachers' Retirement System shall be transferred to that System and credited to the Pension Accumulation Fund of that System. If the employer will continue to participate in the Employees' Retirement System under the aforesaid Section 12, the Actuary shall redetermine the accrued liability contribution rate payable by the employer on the basis of the remaining membership. If the employer will not continue to participate in the Employees' Retirement System and the assets available for the allocation in step (1) above are insufficient to cover the reserve for retired employees and beneficiaries of deceased employees of the employer, the employer shall pay to the Employees' Retirement System the amount of the deficiency in a lump sum or, with the approval of the Board of Control, in installments over such period as the Board of Control may specify.

Section 4. Any liabilities created by these transfers shall be a continuing liability of the Teachers' Retirement System of Alabama and shall be included in the regular valuation of the Teachers' Retirement System liabilities and appropriations shall be made as determined in the Teachers' Retirement law governing such valuation and appropriation.

Section 5. Notwithstanding any other provision of this Act, any employee who is transferred to the Teachers' Retirement System of Alabama as provided in Section 1 of this Act shall be entitled to retire under said System prior to age 60 under the same conditions as provided by Act No. 1462 of the 1971 Legislature with respect to members of the Employees' Retirement System of Alabama and subject to the percentage reductions in the retirement allowance as provided by said Act. Any employee who is transferred to the Teachers' Retirement System of Alabama as provided in Section 1 of this Act and who became a member of the Employees' Retirement System prior to October 1, 1965, shall be entitled to a minimum annual retirement allowance upon retirement under the Teachers' Retirement System of Alabama of \$72.00 multiplied by the number of years of his creditable service not in excess of 25 years, in the event of service retirement, or \$54.00 multiplied by the number of years of his creditable service not in excess of 25 years, in the event of disability retirement.

Section 6. It being the intent and purpose of the Act to transfer the accruing liabilities, as well as past service liabilities to the Alabama Educational Trust Fund for those employees eligible for transfer and enrollment

REGULAR SESSION
30th Day

3745

under this Act in the Teachers' Retirement System of Alabama, no refunds to Employing Unit shall be made in making such transfer.

Section 7. This Act shall take effect October 1, 1973 upon passage and approval by the Governor or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	Kinsey	Reynolds
Adams	Culver	Lutz	Roberts
Bank	Downing	McBride	Robertson
Barkett	Easters	McCluskey	St. John
Barron	Edwards	McCorquodale	Slate
Benton	Ellis	McDonald	Smith (K)
Boles	Falkenburg	McMillan	Smith (P)
Boutwell	Fite	McNair	Snell
Bowers	Flippo	Manley	Stewart
Brassell	Gafford	Mathews	Stokes
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Hale	Merrill	Timmons
Carter	Hardin	Mims	Turner
Casey	Harris	Naramore	Waldrop
Cauthen	Hearn	Owens	Wallace
Chesnut	Hill	Parker	Warren
Collins	Hobbie	Perloff	Williams
Connell	Hughes	Porter	Wise
Coshatt	Jackson	Reed (T)	Wood
Cottingham	Jones (F)	Reid (R)	Wynot
Cross	King		

—86

And the bill, H. 216 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crawford	Kinsey	Roberts
Adams	Cross	McBride	Robertson
Bank	Crowe	McCluskey	St. John
Barkett	Culver	McCorquodale	Slate
Barron	Downing	McDonald	Smith (K)
Bassett	Easters	McMillan	Smith (P)
Benton	Edwards	McNair	Snell
Boles	Ellis	Manley	Stewart
Boutwell	Falkenburg	Mathews	Stokes
Bowers	Fite	May	Taylor
Brassell	Flippo	Meeks	Therrell
Burgess	Gafford	Merrill	Timmons
Callahan	Goodwin	Mims	Turner
Carnes	Grainger	Naramore	Waggoner
Carter	Hale	Owens	Waldrop
Casey	Hardin	Parker	Wallace
Cauthen	Hearn	Perloff	Warren
Chesnut	Hill	Porter	Williams
Collins	Hughes	Pruitt	Wise
Connell	Jackson	Reed (T)	Wood
Coshatt	Jones (F)	Reid (R)	Wynot
Cottingham	King	Reynolds	

—87

UNANIMOUS CONSENT GRANTED

At the request of Mr. Cottingham, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 216.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. J. R. 66. Commending the tomato crop in Taylor, Alabama.

Also:

S. 342. To authorize the Division of Marine Resources of the Department of Conservation and Natural Resources to sell or barter for the purpose of establishing fishing reefs in offshore waters of Alabama certain liberty ships now in the custody of said Division for the benefit of the states of Alabama, Mississippi and Florida, creating a commission to oversee and direct the action of the Department of Conservation and Natural Resources under the provisions of this Act.

Also:

S. 400. Relating to Morgan County; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

Also:

S. 131. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation.

Also:

S. 173. To permit banks now or hereafter situated in counties having a population of not less than 16,600 nor more than 16,950 according to the last or most recent federal decennial census, to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

S. 236. To authorize any city in any county having a population of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census, to establish, maintain and operate a non-profit ambulance service.

Also:

S. 468. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect the ad valorem tax each year at the rate authorized

REGULAR SESSION
30th Day

3747

immediately prior to the adoption of this amendment, the power to levy and collect each year an additional tax of three-fourths of one per centum based upon the value of the property therein as fixed for state taxation, and the further power to increase in the future the rate at which ad valorem taxes are levied provided that any increase is first approved by an act of the Legislature and by a majority vote of the qualified electors in the City of Mountain Brook.

Also:

S. 503. Relating to Etowah County; providing that the governing body of Etowah County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

Also:

S. 504. To amend Section 2 of Act No. 398, H. 876, Regular Session, 1955, (Acts 1955, p. 933), an act relating to Etowah County, creating the governing body of such county, said Section 2 thereof providing for the election and term of office of the president of such governing body.

Also:

S. 511. Relating to Wilcox County; providing an additional expense allowance for the chairman and members of the Wilcox County Commission or other like governing body.

Also:

S. 524. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of the Tax Collector and or the Tax Assessor of Choctaw County, Alabama.

Also:

S. 529. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Also:

S. 533. To authorize the county governing body in any county having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census to create a county development fund.

Also:

S. 534. Relating to all counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census, providing for an expense allowance for members of the county commission.

Also:

S. 541. Relating to all counties with a population of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to provide an additional expense allowance for the coroner of such counties.

Also:

S. 553. Relating to Monroe County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

S. 588. Relating to the DeKalb County Inferior Court; changing the name of this court to DeKalb County District Court.

Also:

S. 589. Relating to DeKalb County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Also:

S. 590. Relating to DeKalb County; to amend Act No. 361, S. 561, Regular Session 1971 (Acts 1971, p. 658), fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Also:

S. 604. To further amend Sections 1 and 2 of Act No. 621, H. 1059, Regular Session 1951 (Acts 1951, p. 1074), as amended, which authorize the circuit clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant so as to provide further for additional assistants to the circuit clerk and provide for their compensation.

Also:

S. 618. To authorize the Tax Assessor, Tax Collector, and Clerk of the Circuit Court, Judge of Probate Court and Judge of the Intermediate Court in all counties having a population of not less than 23,900 nor more than 24,450 to hire clerical assistants, to set the compensation of such assistants, and to provide that the salaries of such assistants be paid from the general funds of such Counties.

Also:

S. 627. To authorize the governing body of DeKalb County to pay all expenses incurred by the Circuit Court Clerks and Registers in their respective state organizations.

Also:

S. 628. To amend Section 1 of Act No. 359, S. 559, Regular Session 1971 (Acts 1971, p. 657), which Act provides for the compensation of the members and clerk of the jury commission of DeKalb County.

Also:

S. 630. Relating to DeKalb County; fixing the salary of the chief deputy, deputies and other positions of the sheriff's office and providing the method of paying such salaries; and repealing conflicting laws.

Also:

S. 635. To permit banks now or hereafter situated in Choctaw County to establish, maintain or operate branch banks and branch offices within the

REGULAR SESSION
30th Day

3749

limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

S. 645. Relating to Marshall County; to provide for the compensation of the Judge of the County Court of Marshall County, Alabama, to take effect upon the expiration of the term of the incumbent Judge of the County Court.

Also:

S. 646. To authorize the Judge of the County Court to permanently transfer, by appropriate entry on the docket sheet any pending suits and proceedings for divorce or separate maintenance, suits for annulment of marriage, and any case or proceedings involving custody and support of children, granting, and enforcement of alimony, and all other domestic and marital matters over which the County Court has concurrent jurisdiction with the Circuit Court of the 27th Judicial Circuit. Such cases to be transferred in the discretion of the Judge of the County Court. METHOD OF TRANSFER:

Also:

S. 648. To authorize and provide for the establishment, maintenance, operation, and financing of a Public Law Library in Marshall County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel.

Also:

S. 649. Relating to Marshall County; to provide for the payment to the Judge of the County Court for expenses of attending seminars, conferences, schools and payment of dues for memberships in County Judge's Organizations.

Also:

S. 650. Relating to Marshall County: The Circuit Judges of the 27th Judicial Circuit are authorized to appoint not more than two (2) attorneys licensed to practice law in Alabama and are members of the Marshall County Bar Association as Warrant Issuing Magistrates with authority to issue warrants, search warrants and writs of arrests for Marshall County and to provide for their compensation.

Also:

S. 651. To authorize the Circuit Judges of the Circuit Court of Marshall County to appoint bailiffs and to provide for compensation of such bailiffs, to further define duties of bailiff and to authorize the use of such bailiffs by the Judge of the County Court of Marshall County.

Also:

S. 659. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Also:

S. 660. To provide for monthly compensation of the Chairman and Board members of the Rainbow City Gas, Water, and Sewer Board, in Etowah County.

Also:

S. 661. Relating to the 14th judicial circuit, providing a secretary for the circuit judge.

Also:

S. 663. Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census.

Also:

S. 665. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Also:

S. 696. Relating to the Fourteenth Judicial Circuit, providing further for the salaries of the court reporters of said circuit.

Also:

S. 699. To establish a Civil Service System for the City of Russellville; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purpose of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to

provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the compensation and expenses of such board; to guarantee certain rights to the governing body of the city; and to exclude certain employees from the provisions of this act.

Also:

S. 714. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Also:

S. 744. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Tax Collector and Tax Assessor and to provide for the payment of the same for said officers of such counties.

Also:

S. 765. To provide for the filing of vacancies in the event of death, resignation or removal from office, for any cause, of a member or members of the Choctaw County Commission or governing body of Choctaw County, Alabama.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

SPECIAL ORDER RESUMED

And the bill:

H. 1530. To amend Section 3 of Act No. 96, H. 17, approved 1971, Special Session, p. 166, which levies and regulates a privilege tax against persons engaged in the business of leasing or renting tangible personal property, so as to further provide for exemptions from the computation of the amount of the tax levied.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 1.

Yeas:

Mr. Speaker	Barkett	Boles	Brassell
Adams	Barron	Boutwell	Burgess
Bank	Benton	Bowers	Callahan

Carnes	Flippo	McNair	Robertson
Carter	Goodwin	Manley	St. John
Casey	Grainger	Mathews	Slate
Chesnut	Hale	May	Smith (K)
Collins	Hardin	Meeks	Smith (P)
Connell	Harris	Merrill	Snell
Coshatt	Hearn	Mims	Stewart
Cottingham	Hill	Naramore	Stokes
Crawford	Hughes	O'Daniel	Taylor
Cross	Jackson	Owens	Therrell
Crowe	Jones (F)	Parker	Timmons
Culver	King	Perloff	Turner
Downing	Kinsey	Porter	Waldrop
Drake	Lutz	Pruitt	Wallace
Easters	McBride	Reed (T)	Warren
Edwards	McCluskey	Reid (R)	Williams
Ellis	McCorquodale	Reynolds	Wise
Falkenburg	McDonald	Roberts	Wynot
Fite	McMillan		

—86

Nay: Mr. Cauthen.

—1

And the bill:

H. 851. (With Amendments): To provide that no firefighting vehicle or apparatus in this State shall leave the station on call unless certain officers are present; and in case of absence of such officers, the city or county fire department shall provide such off-duty personnel.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Government, said Committee amendment being as follows:

To amend H. B. 851, by adding the following sentences to Section 1.

However, nothing in this Act is to affect or apply to forest wildfire suppression vehicles operated by the Alabama Forestry Commission, or to any volunteer or part-time rural Fire Defense, or Civil Defense firefighting vehicles, or to any part-paid, part-volunteer municipal fire departments.

And the amendment was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Hill	Mims
Adams	Collins	Hughes	Naramore
Bank	Connell	Jackson	O'Daniel
Barkett	Coshatt	Jones (F)	Owens
Barron	Cottingham	Kinsey	Parker
Bassett	Doss	McBride	Perloff
Boles	Downing	McCluskey	Porter
Boutwell	Easters	McCorquodale	Roberts
Burgess	Edwards	McMillan	Robertson
Callahan	Ellis	McNair	Slate
Carnes	Falkenburg	Manley	Smith (K)
Carter	Fite	Mathews	Smith (P)
Casey	Hardin	Merrill	Snell

REGULAR SESSION
30th Day

3753

Stewart	Taylor	Turner	Warren
Stokes	Therrell	Waldrop	Williams
Stubbs	Timmons	Wallace	Wynot

—64

Mr. Hobbie offered the following amendment to the amendment #2 reported by the Standing Committee on Local Government:

Amend amendment #2 of H. B. 851 by adding the words at the end of the amendment "and all snorkels or elevated platforms".

And the amendment was adopted.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Kinsey	St. John
Adams	Crowe	Lutz	Slate
Barron	Doss	McBride	Snell
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	Mathews	Stokes
Burgess	Fite	Merrill	Taylor
Callahan	Grainger	Mims	Therrell
Carnes	Hughes	Owens	Turner
Casey	Jackson	Porter	Wallace
Cauthen	Jones (F)	Pruitt	Williams
Connell	King	Roberts	Wise

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Government, said Committee amendment being as follows:

In the title and Section 1 of H. B. 851, strike the phrase "vehicle or".

Further amend H. B. 851 by adding the following:

"Section 6. This Act only applies to apparatus equipped with fire pumps with a capacity of 500 gallons per minute or more and ladder trucks with a reach of 50 feet or more".

And the amendment was adopted.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Gafford
Adams	Burgess	Cross	Goodwin
Adwell	Callahan	Doss	Grainger
Barkett	Carnes	Downing	Harris
Barron	Carter	Easters	Hughes
Boles	Cauthen	Ellis	Jackson
Boutwell	Chesnut	Erdreich	Jones (F)

King	Meeks	Reed (T)	Taylor
Kinsey	Merrill	Reynolds	Therrell
Lang	Mims	Roberts	Turner
McBride	Naramore	St. John	Wallace
McDonald	Owens	Slate	Warren
Manley	Perloff	Snell	Williams
Mathews	Porter	Stewart	Wise
May	Pruitt	Stokes	Wynot

—60

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Local Government, said Committee amendment being as follows:

Amend House Bill 851 by deleting Section 5 in its entirety and substituting in lieu thereof the following:

"Section 5. This Act shall become effective one year after its passage and approval by the Governor or upon its otherwise becoming a law."

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cross	Kinsey	Reynolds
Adams	Crowe	Lang	Roberts
Adwell	Doss	McBride	St. John
Barkett	Ellis	McDonald	Snell
Barron	Erdreich	Manley	Stewart
Boles	Flippo	May	Stokes
Boutwell	Gafford	Meeks	Stubbs
Bowers	Goodwin	Merrill	Therrell
Burgess	Harris	Mims	Turner
Callahan	Headley	Naramore	Wallace
Carnes	Hill	Nettles	Warren
Carter	Hughes	Owens	Williams
Cauther.	Jackson	Perloff	Wise
Chesnut	Jones (F)	Porter	Wood
Connell	King	Pruitt	Wynot
Cottingham			

—61

H. 851 RECOMMITTED

On motion of Mr. Lutz to recommit, the Speaker recommitted the bill, H. 851, to the Standing Committee on Local Government.

And the bill:

H. 834. To allow officers of the International Association of Firefighters and Fraternal Order of Police time off with pay to attend scheduled meetings of the organizations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 1.

Yeas:

Mr. Speaker	Bank	Benton	Burgess
Adams	Barkett	Boles	Callahan
Adwell	Barron	Boutwell	Carnes

REGULAR SESSION

3755

30th Day

Carter	Flippo	McCorquodale	St. John
Casey	Gafford	McMillan	Slate
Chesnut	Goodwin	Manley	Smith (K)
Collins	Grainger	May	Smith (P)
Connell	Grey (D)	Meeks	Snell
Coshatt	Hale	Merrill	Stewart
Cottingham	Hardin	Mims	Stokes
Crawford	Hill	Naramore	Stubbs
Cross	Hobbie	Nettles	Taylor
Crowe	Hughes	O'Daniel	Therrell
Culver	Jackson	Owens	Turner
Doss	Jones (F)	Porter	Waldrop
Downing	King	Pruitt	Wallace
Drake	Kinsey	Reed (T)	Warren
Easters	Lang	Reid (R)	Williams
Edwards	Lutz	Reynolds	Wise
Erdreich	McBride	Roberts	Wood
Falkenburg	McCluskey	Robertson	Wynot
Fite			

—85

Nay: Mr. Cauthen.

—1

And the bill:

H. 46. To require the tax assessor of each county in this state to assess and estimate a value on all real and personal property therein, including all property which is exempted from ad valorem taxation.

Was taken up.

Mr. Stewart offered the following amendment #1 to the bill:

At the end of Section 1, add the following:

A copy of the tax assessor's list of such property and its estimated value, including property exempt from ad valorem taxes, shall be published annually in a newspaper published in the county, and if no newspaper is published in the county, then in some newspaper having general circulation in the county. The cost of such publication shall be paid out of the general funds of the county.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Messrs.:	Cauthen	Ellis	Jones (F)
Adwell	Chesnut	Erdreich	King
Bank	Collins	Fite	Kinsey
Barkett	Connell	Flippo	Lang
Barron	Coshatt	Goodwin	Lutz
Bassett	Cottingham	Grainger	McBride
Benton	Crawford	Grey (D)	McCluskey
Boles	Cross	Hale	McMillan
Boutwell	Crowe	Hardin	Manley
Burgess	Culver	Harris	Meeks
Callahan	Doss	Headley	Merrill
Carnes	Downing	Hill	Mims
Carter	Drake	Hughes	Naramore
Casey	Edwards	Jackson	Nettles

O'Daniel
Owens
Porter
Pruitt
Reid (R)
Reynolds

Roberts
Robertson
St. John
Slate
Smith (K)

Stewart
Stokes
Stubbs
Taylor
Therrell

Turner
Waldrop
Williams
Wise
Wynot

—76

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1513. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a Policeman's Pension System for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Also:

H. 1636. To further amend Sections 1, 2, 3 and 6 of Act No. 22 of the Second Special Session of the Legislature of Alabama of 1956, approved March 23, 1956 (Alabama Acts, 1956 Special Sessions, Page 290) as heretofore amended, relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama 1943, approved June 28, 1943 (General Acts Alabama 1943, Page 264) and the predecessors of said Act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1692. Relating to counties having population of not less than 75,000 nor more than 90,000 providing for payment of compensation for the Bailiff of the circuit courts and county courts of such counties.

Also:

H. 1607. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville, in Morgan County.

REGULAR SESSION
30th Day

3757

Also:

H. 973. Relating to all counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census; authorizing the governing body of any such counties or any municipality within such counties to provide recreational facilities and services; to provide for the creation, establishment, maintenance, and support of a recreation board in any such county or municipality; and to provide for the duties and powers of such boards.

Also:

H. 1006. To provide further for the selection of textbooks and instructional materials for use in public schools in counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census.

Also:

H. 1330. Relating to counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; to authorize the county commission of such counties to expend county funds for certain public recreation programs for minors up to 19 years of age.

Also:

H. 1512. To alter and re-arrange the boundary lines of the Town of Calera, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said Town.

Also:

H. 1634. Relating to Walker County; to authorize the board of registrars to provide for special registrars who shall go into the precincts taking applications for voter registration; to provide further for the powers, duties and compensation of such special registrars.

Also:

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance for the judges of the county courts of such counties.

Also:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Also:

H. 1641. To amend Section 2 of Act No. 500, S. 423, Regular Session 1963, (Acts 1963, page 1069, Vol. 2), which relates to establishing The Intermediate Court of Walker County in lieu of the Law and Equity Court, so as to increase the maximum amount of a civil action in such court to \$3,000.00 and to provide for a graduated schedule of filing fees, according to the dollar amount of such civil action.

Also:

H. 1681. Relating to counties having populations of not less than 27,000 nor more than 27,900; providing an expense allowance for the members of the jury commission in such counties.

Also:

H. 1689. To provide for the office of the sheriff of any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, a system governing the appointment, removal tenure, and official conduct of employees of the sheriff of said county, and to create a board of appeals, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1611. Relating to the management of the public records of Colbert County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Colbert County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Colbert County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

Also:

H. 1529. To authorize the Chairman of the Madison County Commission, or other like governing body of Madison County, Alabama, to issue official proclamations.

Also:

H. 1370. Relating to Lowndes County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1490. Relating to all counties having a population of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 1686. Relating to Fayette County; further regulating the compensation of members of the county board of education.

REGULAR SESSION
30th Day

3759

Also:

H. 1679. To prescribe duties and powers of the stenographic secretary of District Attorney of the second Judicial Circuit.

Also:

H. 1687. Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effect.

Also:

H. 1720. Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1690. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of special supplementary allowances for probation officers of juvenile courts of such counties.

Also:

H. 1408. To provide that the governing body of Cullman County shall be responsible for causing the garbage to be collected and removed from all schools under the jurisdiction of the Cullman County Commission on Education, and shall provide all funds necessary to pay the costs of such garbage collection.

Also:

H. 1694. To provide for the appointment and payment of a special judge to sit in any inferior court of record in the event the presiding judge is disqualified, unable to act or otherwise recuses himself in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

Also:

H. 1691. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 75,000 nor more than 90,000.

Also:

H. 1695. To provide authority for the judge of inferior court of record in counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, to defer a juror from jury service to serve at a later time; providing for there to be no lawful objection to such deferment except for fraud; and providing for the payment to any such juror so deferred for his services.

Also:

H. 1564. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent feder-

al decennial census; providing further for the compensation of the District Attorney.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1423. Relating to Pike County; authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of Troy Hospital Board, doing business as Edge Memorial Hospital.

Also:

H. 1422. Relating to Pike County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1421. Relating to Pike County authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of the City of Ozark, Alabama.

Also:

H. 1685. Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Also:

H. 1527. Relating to the storage of records, documents, plats, court files, books, maps, papers, writings or drawings of any other type, or by whatever name called, which may be a part of any county or state office housed in the Madison County Courthouse, or any annex thereof, may be stored in a centralized storage area, located anywhere within Madison County, Alabama; to provide that said storage area shall contain vaults or be so equipped as to properly provide for the employment of any and all personnel deemed by the Madison County Commission as necessary to properly care for said documents.

Also:

H. 1493. Relating to the expense allowance of the members of any civil service commission in any city which has a civil service commission in any county having a population of 95,000 to 115,000.

Also:

H. 1343. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Buttahatchee River Development Authority, for the development of the Buttahatchee River, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public

recreation and related purposes; to provide for the composition of the board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Buttahatchee River watershed, to determine requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a non-foreclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of the Authority, of bonds and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion and Lamar Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges of Probate; to provide that the Authority shall be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the State by the Authority; and to provide for certain annual reports by the Authority.

Also:

H. 1494. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

Also:

H. 1608. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the city.

Also:

H. 1492. Providing each judge in the Seventh Judicial Circuit an annual travel expense allowance.

Also:

H. 1495. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 23, 1973, through October 1, 1973.

Also:

H. 1042. To repeal Act No. 162, S. 301, 1957 Regular Session (Acts 1957, p. 217) entitled "To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense."

McDOWELL LEE,
Secretary.

S. 170 RE-REFERRED

On motion of Mr. Chesnut to re-refer, the Speaker re-referred the bill, S. 170, from the Standing Committee on Judiciary to the Standing Committee on Local Legislation No. 1.

H. 46 RESUMED

Mr. Stewart offered the following amendment #2 to the bill, H. 46 as amended:

Amend H. B. 46 in Section one by deleting after the words therein the phrase "including all property."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Messrs.:	Crowe	King	Robertson
Barkett	Culver	Kinsey	St. John
Barron	Doss	Lutz	Slate
Benton	Downing	McBride	Smith (K)
Boles	Easters	McCluskey	Snell
Boutwell	Edwards	McDonald	Stewart
Bowers	Ellis	McMillan	Stokes
Burgess	Falkenburg	McNair	Stubbs
Callahan	Fite	Manley	Taylor
Carnes	Flippo	Mathews	Therrell
Carter	Goodwin	May	Turner
Casey	Grainger	Merrill	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Harris	Parker	Warren
Connell	Headley	Porter	Williams
Coshatt	Hill	Pruitt	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)	Roberts	

REGULAR SESSION
30th Day

3763

MOTION TO POSTPONE LOST

The motion of Mr. Reynolds to postpone the bill, H. 46 as amended to the thirty-first legislative day, was lost.

Yeas 30; Nays 48.

Yeas:

Mr. Speaker	Fite	Meeks	Reynolds
Barkett	Goodwin	Mims	St. John
Bowers	Grey (D)	O'Daniel	Slate
Connell	Hughes	Parker	Warren
Crawford	Jackson	Perloff	Williams
Downing	McCorquodale	Porter	Wise
Easters	McDonald	Reid (R)	Wood
Edwards	May		

—30

Nays:

Messrs.:	Cottingham	Hardin	Manley
Adams	Cross	Harris	Merrill
Adwell	Crowe	Hearn	Nettles
Bassett	Culver	Hill	Roberts
Boles	Doss	Hobbie	Robertson
Boutwell	Drake	Jones (F)	Smith (K)
Burgess	Ellis	King	Stewart
Carnes	Erdreich	Kinsey	Stokes
Carter	Falkenburg	Lutz	Taylor
Casey	Flippo	McBride	Turner
Cauthen	Grainger	McMillan	Waldrop
Chesnut	Hale	McNair	Wynot
Coshatt			

—48

And the bill, H. 46 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 33.

Yeas:

Messrs.:	Cottingham	Hill	Parker
Adams	Cross	Jackson	Roberts
Bank	Culver	Jones (F)	Robertson
Barron	Doss	King	Slate
Bassett	Ellis	Kinsey	Smith (K)
Boutwell	Erdreich	Lutz	Snell
Burgess	Falkenburg	McBride	Stewart
Carnes	Flippo	McMillan	Stokes
Carter	Grainger	McNair	Taylor
Casey	Hale	Manley	Turner
Cauthen	Hardin	Merrill	Waldrop
Chesnut	Harris	Nettles	Wise
Coshatt	Hearn		

—49

Nays:

Mr. Speaker	Drake	Goodwin	Lang
Barkett	Easters	Grey (D)	McCluskey
Connell	Edwards	Headley	McCorquodale
Crawford	Fite	Hobbie	McDonald
Downing	Gafford	Hughes	Meeks

Mims
O'Daniel
Perloff
PorterPruitt
Reid (R)
ReynoldsSt. John
Smith (P)
StubbsWarren
Williams
Wood

—33

SPECIAL ORDER RESUMED

And the bill:

H. 167. Relating to elections and voting in them; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing that procedures to be used in connection with elections in which these systems are used, including additional procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

Was taken up.

Mr. Downing offered the following amendment to the bill:

Amend H. B. 167 by inserting after Section 15 the following:

"Section 16. In those counties that use voting machines which produce or printout on sheets of paper all the data or information regarding registering or recording and computing the vote at all elections which are required by the provisions of Code of Alabama 1940, Title 17, Chapter 1, Article 7, the governing body and election officials of such county are hereby authorized to use such printout sheets and to make any certificates or statements thereon as are required by said Title 17, Chapter 1, Article 7 and such printout sheets and the certificates and statements made thereon when signed by the proper officials shall satisfy the requirements of Title 17, Chapter 1, Article 7."

Also, amend H. B. 167 by renumbering the sections which follow accordingly.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker
Adams
Bank
Barkett
Barron
Bassett
Benton
Boles
Bowers
Burgess
Callahan
Carnes
Carter
Cauthen
Chesnut
Collins
ConnellCoshatt
Cottingham
Crawford
Cross
Crowe
Culver
Doss
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
GaffordGoodwin
Grainger
Grey (D)
Hale
Hardin
Harris
Hearn
Hill
Hobbie
Hughes
Jackson
Jones (F)
King
Kinsey
Lang
Lutz
McBrideMcCluskey
McDonald
McMillan
McNair
Manley
May
Meeks
Merrill
Mims
Naramore
Nettles
Parker
Perloff
Porter
Pruitt
Reynolds
Roberts

REGULAR SESSION
30th Day

3765

Robertson	Snell	Taylor	Williams
St. John	Stewart	Turner	Wise
Slate	Stokes	Waldrop	Wood
Smith (K)	Stubbs	Warren	Wynot
Smith (P)			—85

Mr. Lutz offered the following amendment #1 to the bill, H. 167 as amended:

Amend H. B. 167 to striking section 3, subsection (6) in its entirety and substituting in lieu thereof the following:

(6) Preclude each voter from voting for any candidate or upon any question for whom or upon which he is not entitled to vote, and from voting for more persons or any office than he is entitled to vote for, and from voting for any candidate for the same office or upon any question more than once.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Pruitt
Adams	Culver	Kinsey	Reid (R)
Adwell	Doss	Lang	Reynolds
Bank	Downing	Lutz	Roberts
Barkett	Drake	McBride	Robertson
Barron	Easters	McCluskey	St. John
Bassett	Edwards	McCorquodale	Slate
Benton	Ellis	McDonald	Smith (K)
Boles	Erdreich	McMillan	Smith (P)
Boutwell	Falkenburg	McNair	Snell
Bowers	Fite	Manley	Stewart
Burgess	Gafford	Mathews	Stokes
Carnes	Goodwin	May	Stubbs
Carter	Grainger	Meeks	Taylor
Cauthen	Hale	Merrill	Therrell
Chesnut	Hardin	Naramore	Turner
Collins	Harris	Nettles	Waldrop
Connell	Hearn	O'Daniel	Warren
Coshatt	Hobbie	Parker	Williams
Cottingham	Hughes	Perloff	Wood
Crawford	Jackson	Porter	Wynot
Cross	Jones (F)		—86

Mr. Lutz offered the following amendment #2 to the bill, H. 167 as amended:

Amend H. B. 167 by inserting the following Section 15 and renumbering subsequent sections accordingly:

(15) Before any Electronic Voting System is purchased, rented, or leased in the State of Alabama, the persons or corporation owning or manufacturing such equipment must give an adequate guarantee in writing, securing that such equipment comply fully with the above requirements and will correctly, accurately and continuously register and record every vote cast.

AMENDMENT TABLED

On motion of Mr. Cottingham, the amendment #2 offered by Mr. Lutz to the bill, H. 167 as amended, was tabled.

Yeas 73; Nays 10.

Yeas:

Mr. Speaker	Cross	Jones (F)	Pruitt
Adams	Crowe	Kinsey	Reid (R)
Bank	Culver	Lang	Reynolds
Barkett	Downing	McBride	Roberts
Barron	Drake	McCorquodale	St. John
Bassett	Easters	McDonald	Slate
Boles	Edwards	Manley	Smith (K)
Bowers	Falkenburg	Mathews	Smith (P)
Burgess	Fite	May	Snell
Callahan	Flippo	Meeks	Stewart
Carnes	Goodwin	Merrill	Stokes
Carter	Grey (D)	Naramore	Turner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Owens	Williams
Connell	Hill	Parker	Wise
Coshatt	Hobbie	Perloff	Wood
Cottingham	Jackson	Porter	Wynot
Crawford			

—73

Nays:

Messrs.:	Hale	King	McNair
Erdreich	Hearn	Lutz	Robertson
Grainger	Hughes	McMillan	

—10

Mr. Lutz offered the amendment #3 to the bill, H. 167 as amended:

Amend H. B. 167 by adding to Section 3 the following subsection (9):

(9) Preclude the programmer or any other person from "rigging the vote" or otherwise tampering with the vote counting equipment so as to render an incorrect vote count for any candidate; or question.

AMENDMENT TABLED

On motion of Mr. Cottingham, the amendment #3 offered by Mr. Lutz to the bill, H. 167 as amended, was tabled.

Yeas 67; Nays 18.

Yeas:

Mr. Speaker	Cauthen	Downing	Harris
Adams	Chesnut	Drake	Headley
Bank	Collins	Easters	Hill
Barkett	Connell	Edwards	Hobbie
Bassett	Coshatt	Falkenburg	Hughes
Burgess	Cottingham	Fite	Jackson
Callahan	Crawford	Flippo	Lang
Carnes	Cross	Gafford	McCorquodale
Carter	Crowe	Goodwin	McDonald
Casey	Culver	Hardin	Manley

REGULAR SESSION
30th Day

3767

Mathews	Parker	St. John	Turner	
Merrill	Porter	Slate	Waldrop	
Mims	Pruitt	Smith (P)	Warren	
Naramore	Reed (T)	Snell	Williams	
Nettles	Reid (R)	Stewart	Wise	
O'Daniel	Reynolds	Stokes	Wynot	
Owens	Roberts	Stubbs		—67

Nays:

Messrs.:	Ellis	Jones (F)	McNair	
Barron	Erdreich	King	Perloff	
Benton	Grainger	Lutz	Robertson	
Bowers	Hale	McBride	Smith (K)	
Doss	Hearn	McMillan		—18

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1499. Relating to Monroe County; providing further requirements for petitions relative to wet-dry referendum elections within such county, so as to require the address and polling place upon the list of petitioners.

Also:

H. 1648. To provide for the appointment and compensation of a bailiff for use by the Grand Jury of Madison County, Alabama; to place such bailiff under the supervision of the Madison County District Attorney; to repeal conflicting laws.

Also:

H. 1440. To propose an amendment to the Constitution of Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Madison County.

Also:

H. 1434. Regulating further the compensation and meeting places of members of boards of registrars in counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census.

Also:

H. 1719. To authorize the establishment of branch banks in Hale County.

Also:

H. 1498. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; providing penalties for vio-

lations of the Act; and to make the provisions of this Act retroactive to August 31, 1971.

Also:

H. 1609. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama.

Also:

H. 1183. Relating to all counties having populations of not less than 14,000 nor more than 15,000 inhabitants, according to the most recent federal decennial census; amending Section 1 of Act No. 706, H. 989, Regular Session 1967, (Acts 1967, p. 1537), as amended, which section regulates the compensation of the county superintendent of education in said counties, so as to further regulate the compensation of said superintendent of education.

Also:

H. 1548. To apply in counties having a population of not less than 90,000 nor more than 100,000; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences, seminars, meetings, and Bar Association meetings for the purpose of instruction and Continuing Legal Education.

Also:

H. 1463. Relating to counties having populations of not less than 150,000 nor more than 180,000; to allow all Alabama Beverage Control Board licensees to sell wines containing not more than fourteen percent alcohol by volume from bulk containers; and prescribing penalties.

Also:

H. 1622. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 150,000 nor more than 180,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Also:

H. 1444. Relating to counties having a population of not less than 34,875 nor more than 36,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

McDOWELL LEE,
Secretary.

H. 167 RESUMED

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Callahan and Downing, unanimous consent was granted for their names to be added as co-sponsors to the bill, H. 167.

REGULAR SESSION
30th Day

3769

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Stewart moved to reconsider the vote by which the amendment #1 offered by Mr. Lutz to the bill, H. 167 as amended, was adopted, and the motion was adopted.

Yeas 55; Nays 10.

Yeas:

Mr. Speaker	Culver	Jackson	Parker	
Adams	Downing	Jones (F)	Pruitt	
Barkett	Drake	Kinsey	Reynolds	
Barron	Easters	McDonald	St. John	
Bassett	Edwards	Manley	Slate	
Burgess	Fite	Mathews	Snell	
Callahan	Flippo	May	Stewart	
Carnes	Goodwin	Meeks	Stubbs	
Carter	Grey (D)	Merrill	Therrell	
Collins	Hardin	Mims	Turner	
Coshatt	Harris	Naramore	Waldrop	
Cottingham	Headley	Nettles	Williams	
Crawford	Hill	O'Daniel	Wood	
Crowe	Hobbie	Owens		—55

Nays:

Messrs.:	Hearn	McMillan	Reid (R)	
Grainger	King	McNair	Smith (K)	
Hale	Lutz	Perloff		—10

The question was then on the reconsideration of the amendment #1 offered by Mr. Lutz to the bill, H. 167 as amended.

AMENDMENT TABLED

On motion of Mr. Cottingham the amendment was tabled.

Yeas 73; Nays 8.

Yeas:

Mr. Speaker	Crowe	Jackson	Pruitt	
Adams	Culver	Jones (F)	Reed (T)	
Bank	Doss	McBride	Reynolds	
Barkett	Downing	McCluskey	Roberts	
Barron	Drake	McDonald	St. John	
Bassett	Easters	Manley	Slate	
Burgess	Edwards	Mathews	Smith (P)	
Callahan	Falkenburg	May	Snell	
Carnes	Fite	Meeks	Stewart	
Carter	Flippo	Merrill	Stokes	
Casey	Goodwin	Mims	Stubbs	
Cauthen	Grey (D)	Naramore	Therrell	
Chesnut	Hardin	Nettles	Turner	
Collins	Harris	O'Daniel	Waldrop	
Connell	Headley	Owens	Warren	
Coshatt	Hill	Parker	Williams	
Cottingham	Hobbie	Perloff	Wood	
Crawford	Hughes	Porter	Wynot	
Cross				—73

*Nays:*Messrs.:
Grainger
HaleHearn
KingLutz
McMillanMcNair
Smith (K)

—8

And the bill, H. 167 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker
Adams
Bank
Barkett
Barron
Bassett
Boutwell
Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford
Cross
Crowe

Culver
Doss
Downing
Drake
Easters
Edwards
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Grey (D)
Hale
Hardin
Harris
Headley
Hearn
Hill
Hobbie

Hughes
Jackson
Jones (F)
King
Kinsey
Lang
Lutz
McBride
McCluskey
McDonald
Manley
Mathews
May
Merrill
Mims
Naramore
Nettles
O'Daniel
Owens
Parker
Perloff

Porter
Pruitt
Reid (R)
Reynolds
Roberts
Robertson
St. John
Slate
Smith (P)
Snell
Stewart
Stokes
Stubbs
Therrell
Turner
Waggoner
Waldrop
Warren
Williams
Wood
Wynot

—84

Nays: Messrs. McNair and Smith (K).

—2

And the bill:

H. 439. (With Amendment): To provide that apartment house owners who charge a security damage deposit are prohibited from not refunding such deposits to tenants upon vacation by such tenants, unless there occurs damage or waste to the premises over and above ordinary wear and tear; and to provide for a penalty damage award against a landlord who violates this act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on State Administration, said Committee amendment being as follows:

Amend H. B. 439 as follows: At the end of Section 4 add the following as Section 5 and renumber remaining sections accordingly:

"Section 5. The provisions of this act shall not apply to owners of apartments or other rental property who own as rental property ten units or less."

And the amendment was adopted.

REGULAR SESSION
30th Day

3771

Yeas 77; Nays 1.

Yeas:

Mr. Speaker	Downing	King	Pruitt
Adams	Easters	Kinsey	Reid (R)
Bank	Edwards	Lutz	Reynolds
Barron	Ellis	McBride	Roberts
Bassett	Erdreich	McCluskey	Robertson
Benton	Falkenburg	McMillan	Smith (K)
Boles	Fite	McNair	Snell
Bowers	Flippo	Manley	Stewart
Carnes	Gafford	Mathews	Stokes
Carter	Goodwin	May	Stubbs
Casey	Grainger	Meeks	Therrell
Cauthen	Grey (D)	Merrill	Turner
Chesnut	Hardin	Mims	Waggoner
Connell	Harris	Naramore	Waldrop
Coshatt	Headley	Nettles	Warren
Cottingham	Hearn	O'Daniel	Williams
Crawford	Hill	Owens	Wise
Cross	Hughes	Parker	Wood
Crowe	Jones (F)	Porter	Wynot
Culver			

—77

Nay: Mr. Boutwell.

—1

Mr. Hale offered the following amendment to the bill, H. 439 as amended:

Amend House Bill 439 by adding the following phrase after the word "tear" in the first paragraph, fifth line:

"or unless the apartment is left in an unclean condition or unless the tenant leaves without satisfying his debt to the apartment owner".

Also amend Section 1 of House Bill 439 by deleting this section and substituting in lieu thereof the following Section 1:

"Section 1. Owners of apartments or other rental property in this state who charge a security damage deposit are hereby prohibited from refusing to refund such deposit at the demand of tenants who vacate such premises, unless there occurs damage or waste which is in excess of ordinary wear or unless the apartment is left in an unclean condition or unless the tenant leave without satisfying his debt to the apartment owner in which cases part or all of the security deposit can be used to satisfy these contingencies. In the cases where repairs or cleaning are necessary the amount required to restore the premises to their prior condition can be deducted from the security deposit and said tenant shall receive the remaining balance of such deposit."

MOTION TO TABLE LOST

The motion offered by **Mr. Stokes** to table the amendment offered by **Mr. Hale** to the bill, H. 439, as amended, was lost.

Yeas 27; Nays 40.

Yeas:

Messrs.:	Barron	Cottingham	Falkenburg
Adams	Boutwell	Culver	Fite
Bank	Cauthen	Downing	Flippo

Grainger	Jackson	May	Roberts
Harris	McCluskey	Merrill	Stokes
Headley	McMillan	Reed (T)	Waldrop
Hughes	McNair	Reid (R)	Wood

—27

Nays:

Mr. Speaker	Crawford	Hobbie	Perloff
Barkett	Cross	Jones (F)	Porter
Bassett	Crowe	King	Reynolds
Benton	Edwards	Kinsey	Robertson
Burgess	Erdreich	Lutz	St. John
Carnes	Goodwin	McDonald	Stewart
Carter	Hale	Manley	Stubbs
Chesnut	Hardin	Naramore	Taylor
Collins	Hearn	Nettles	Warren
Connell	Hill	Parker	Williams

—40

The question was then on the amendment offered by Mr. Hale to the bill, H. 439 as amended, and the amendment was adopted.

Yeas 56; Nays 14.

Yeas:

Mr. Speaker	Culver	Kinsey	Reid (R)
Adams	Downing	Lutz	Reynolds
Barkett	Edwards	McBride	Robertson
Bassett	Ellis	McCluskey	St. John
Benton	Flippo	McDonald	Snell
Burgess	Goodwin	Manley	Stewart
Carter	Grainger	Meeks	Stubbs
Cauthen	Grey (D)	Merrill	Taylor
Chesnut	Hale	Naramore	Therrell
Collins	Hardin	Nettles	Turner
Connell	Hearn	Owens	Waggoner
Crawford	Hill	Parker	Warren
Cross	Jones (F)	Perloff	Williams
Crowe	King	Porter	Wood

—56

Nays:

Messrs.:	Cottingham	Headley	Roberts
Barron	Falkenburg	Hughes	Stokes
Boutwell	Fite	McMillan	Wynot
Carnes	Harris	McNair	

—14

And the bill, H. 439 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 7.

Yeas:

Messrs.:	Boles	Cauthen	Cross
Adams	Boutwell	Chesnut	Crowe
Bank	Burgess	Connell	Culver
Barkett	Carnes	Coshatt	Downing
Barron	Carter	Cottingham	Easters
Bassett	Casey	Crawford	Edwards

REGULAR SESSION

3773

30th Day

Ellis	Hill	May	St. John
Erdreich	Hughes	Merrill	Snell
Falkenburg	Jackson	Mims	Stewart
Fite	King	Naramore	Stokes
Flippo	Lutz	Nettles	Stubbs
Goodwin	McBride	Owens	Therrell
Grainger	McCorquodale	Parker	Turner
Grey (D)	McDonald	Porter	Waggoner
Hale	McMillan	Reed (T)	Waldrop
Hardin	McNair	Reid (R)	Warren
Harris	Manley	Reynolds	Wood
Headley	Mathews	Roberts	Wynot
Hearn			

—72

Nays:

Mr. Speaker	Collins	Perloff	Taylor
Benton	Meeks	Robertson	

—7

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 210. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business on the 31st Legislative Day, taking precedence over any other business of the House:

UNCONTESTED LOCAL BILLS

Unfinished Business-Bills from Previous Special Order Calendar

H. B. 1272	Page 149	Reopener—Teacher Retirement
H. B. 107	Page 161	Alabama Condominium Act
H. B. 1185	Page 120	Supernumerary Circuit Clerks
H. B. 1191	Page 48	Circuit Clerks—Convention Expenses
H. B. 1560	Page 145	Vending Machines
H. B. 777	Page 125	Medical Scholarships for Interns
H. B. 778	Page 124	Medical Scholarships for Interns
H. B. 779	Page 124	Medical Scholarships for Interns
H. B. 1143	Page 113	Water Management Districts
H. B. 299	Page 50	Appropriation for Social Security—State
H. B. 1549	Page 159	Representative on Ala. Historical Com. TSU
H. B. 793	Page 20	Public Service Commission—Salary
H. B. 1572	Page 90	Mental Health
H. B. 491	Page 9	Law Enforcement
H. B. 488	Page 17	Law Enforcement Officers—Overtime pay
H. B. 939	Page 53	Minimum Wage for Law Enforcement Officers
H. B. 1255	Page 42	Legal Fees for Law Enforcement Officers
H. B. 971	Page 5	Create Recreation Board
H. B. 1385	Page 49	Solid Waste & Landfills
H. B. 1829	Page 144	Retirement Benefits for Justices of Supreme Ct.

H. B. 707	Page 147	Board of Corrections
H. B. 710	Page 155	Board of Corrections
H. B. 1182	Page 58	Public Kindergarten
H. B. 1220	Page 162	Abortion Control
H. B. 1913	Page 141	University of South Alabama
H. B. 1070	Page 71	Alabama Beverage Control
H. B. 1072	Page 71	Alabama Beverage Control
H. B. 1074	Page 71	Alabama Beverage Control
H. B. 445	Page 23	Plumbers
H. B. 256	Page 102	Disability Benefits for Teachers
H. B. 300	Page 87	State Employees' Retirement System
H. B. 1815	Page 160	State Board of Veterans Affairs
H. B. 226	Page 27	Teacher Tenure
H. B. 1635	Page 153	Nursing Scholarships
H. B. 1331	Page 73	Military re-employment
H. B. 526	Page 12	Alcoholic Tax
H. B. 1576	Page 140	State Income Tax—Alimony
H. B. 1120	Page 45	State Banking Department
H. B. 1121	Page 46	State Banking Department
H. B. 643	Page 61	Income Tax Exemption—B'ham's Children's Theatre
H. B. 574	Page 137	Sales Mart—Birmingham
H. B. 1007	Page 73	Collection Agencies
H. B. 272	Page 43	Barbers
H. B. 1219	Page 147	Court Reporters
H. B. 1458	Page 156	Court Reporters
H. B. 1280	Page 61	Court Reporters
H. B. 1278	Page 154	Court Reporters
H. B. 426	Page 17	Emergency Medical Technicians
H. B. 1173	Page 23	Sales & Use Tax
H. B. 1174	Page 24	Sales & Use Tax
H. B. 1175	Page 24	Sales & Use Tax
H. B. 1176	Page 24	Sales & Use Tax
H. B. 1177	Page 25	Sales & Use Tax
H. B. 1178	Page 25	Sales & Use Tax
H. B. 1179	Page 25	Sales & Use Tax
H. B. 338	Page 16	Estimating Value of Property
H. B. 1757	Page	Driver Education

On motion of Mr. Drake, the rules were suspended and the resolution, H. R. 210, was adopted.

SPECIAL ORDER RESUMED

And the bill:

H. 1307. (With Amendments): To amend Sections 1, 2, 3, 4, 8 and 9,

REGULAR SESSION

3775

30th Day

Title 22, Code of Alabama 1940, as amended, which sections relate to the State Board of Health, so as to further regulate said Board.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Health, said Committee amendment being as follows:

In Section 1, line seven (7) following the semicolon which is after the word nurse, strike the balance of the first paragraph in Section 1 and substitute therefor the following: "one (1) shall be a sanitation officer; one (1) to be a representative of the public appointed by the Governor; and the Governor shall be an ex-officio member and an ex-officio chairman of the State Board of Health without voting privileges. The State Health Officer shall be ex-officio secretary of the Board of Health, though not a member thereof."

In paragraph four (4) of Section 1, on line ten (10) after the word board strike the balance of paragraph four (4) of Section 1 and substitute therefor the following:

The Alabama Association of Sanitarians shall appoint one of its members to the Board.

And the amendment was adopted.

Yeas 65; Nays 3.

Yeas:

Messrs.:	Downing	Jones (F)	Roberts
Adwell	Easters	King	Robertson
Bank	Edwards	Lutz	St. John
Barkett	Ellis	McCluskey	Slate
Barron	Erdreich	McDonald	Smith (P)
Bassett	Falkenburg	McMillan	Snell
Burgess	Fite	McNair	Stewart
Carnes	Flippo	Mathews	Stokes
Carter	Goodwin	Meeks	Stubbs
Casey	Grainger	Naramore	Therrell
Chesnut	Hale	Parker	Waldrop
Collins	Hardin	Porter	Wallace
Connell	Headley	Pruitt	Warren
Coshatt	Hearn	Reed (T)	Williams
Cross	Hill	Reid (R)	Wood
Culver	Hobbie	Reynolds	Wynot
Doss	Jackson		

—65

Nays:

Messrs.:	Boutwell	Cottingham	Turner
----------	----------	------------	--------

—3

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Health, said Committee amendment being as follows:

Amend House Bill 1307 as follows:

In Section 1, strike the words and figures 18 and substitute therefor the words and figures 17.

And the amendment was adopted.

Yeas 63; Nays 0.

Yeas:

Messrs.:	Culver	Hobbie	Porter
Adams	Doss	Jackson	Pruitt
Adwell	Downing	Jones (F)	Reid (R)
Bank	Edwards	King	Reynolds
Barkett	Ellis	Lutz	Roberts
Barron	Erdreich	McCluskey	Robertson
Bassett	Falkenburg	McDonald	St. John
Boutwell	Fite	McMillan	Smith (P)
Carnes	Flippo	McNair	Snell
Carter	Goodwin	Manley	Stewart
Casey	Grainger	Mathews	Stokes
Chesnut	Hale	Meeks	Waldrop
Collins	Hardin	Naramore	Wallace
Connell	Headley	Nettles	Warren
Coshatt	Hearn	Parker	Williams
Cross	Hill	Perloff	Wynot

—63

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Health, said Committee amendment being as follows:

Amend Section 4 of H. B. 1307 by striking the words "probate judge" wherever it appears and substituting in lieu thereof the words "chairman of county governing body".

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

Messrs.:	Cross	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Lutz	Robertson
Barkett	Easters	McCluskey	St. John
Barron	Ellis	McDonald	Smith (P)
Bassett	Erdreich	McMillan	Snell
Boutwell	Falkenburg	McNair	Stewart
Burgess	Fite	Mathews	Stokes
Carnes	Flippo	Meeks	Stubbs
Carter	Goodwin	Naramore	Therrell
Casey	Grainger	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Parker	Williams
Coshatt	Hill	Porter	Wise
Crawford	Hobbie	Pruitt	Wynot

—67

Mr. Bank offered the following amendment to the bill, H. 1307 as amended:

Amend H. B. 1307, Section 1, Paragraph 4 by striking the entire paragraph and inserting in lieu thereof the following:

REGULAR SESSION
30th Day

3777

"The Medical Association of the State of Alabama shall appoint the nine (9) physician members of the Board; the Alabama Dental Association shall appoint one of its members to the Board; the Alabama Pharmaceutical Association shall appoint one of its members to the Board; the Alabama Veterinary Medical Association shall appoint one of its members to the Board; the Alabama Optometric Association, Inc., shall appoint one of its members to the Board; the Alabama Hospital Association shall appoint one hospital administrator to the Board; the Alabama State Nurses Association shall appoint one registered nurse to the Board.

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Reynolds
Adams	Doss	Jones (F)	Roberts
Adwell	Downing	King	Robertson
Bank	Drake	Lutz	St. John
Barkett	Easters	McBride	Slate
Barron	Ellis	McCluskey	Smith (P)
Burgess	Erdreich	McDonald	Snell
Carnes	Falkenburg	McMillan	Stewart
Carter	Fite	McNair	Stokes
Casey	Flippo	Manley	Stubbs
Chesnut	Goodwin	Mathews	Therrell
Collins	Grainger	Meeks	Turner
Connell	Grey (D)	Naramore	Waldrop
Coshatt	Hale	O'Daniel	Wallace
Cottingham	Headley	Parker	Warren
Crawford	Hearn	Porter	Williams
Cross	Hill	Pruitt	Wise
Crowe	Hobbie	Reid (R)	Wynot

—71

Mr. Grainger offered the following amendment to the bill, H. 1307 as amended:

Amend H. B. 1307 in Section 1 by deleting the words "hospital administrator" wherever they appear and substituting in lieu thereof the following: "Professional engineer."

Further amend the bill in Section 1 by deleting the words "Alabama Hospital Association shall appoint one hospital administrator to the Board;" and substituting in lieu thereof the following: "the American Consulting Engineers Council of Alabama shall appoint one professional engineer trained and experienced in environmental discipline and licensed to practice engineering in the State of Alabama;"

And the amendment was adopted.

Yeas 44; Nays 17.

Yeas:

Messrs.:	Boutwell	Crawford	Ellis
Adams	Bowers	Culver	Erdreich
Barkett	Chesnut	Doss	Falkenburg
Barron	Collins	Downing	Flippo
Bassett	Coshatt	Easters	Grainger

Hale	Lutz	Perloff	Snell
Hardin	McCluskey	Porter	Stubbs
Headley	McDonald	Roberts	Therrell
Hearn	McMillan	Robertson	Waldrop
Hill	McNair	St. John	Wise
King	Parker	Smith (P)	Wynot
Lang			

—44

Nays:

Messrs.:	Connell	McCorquodale	Slate
Bank	Cottingham	Nettles	Stewart
Burgess	Fite	Owens	Stokes
Callahan	Jackson	Reid (R)	Williams
Carnes	McBride		

—17

Mr. Roberts offered the following amendment to the bill, H. 1307 as amended:

Amend Section 5 to read:

Section 5. Section 8, Title 22, Code of Alabama 1940, as amended, is hereby amended to read as follows:

"Section 8. It shall be the duty of the county boards of health in their respective counties and subject to the supervision and control of the State Board of Health: (1) To supervise the enforcement of the health laws of the state, including all ordinances or rules and regulations of municipalities or of county boards of health or of the state board of health; and to supervise the enforcement of the law for the collection of vital and mortuary statistics, and to adopt and promulgate, if necessary, rules and regulations for administering the health laws of the state and the rules and regulations of the state board of health, which rules and regulations of the county boards of health shall have the force and effect of law and shall be executed and enforced by the same bodies, officials, agents, and employees as in the case of health laws. (2) To investigate, through county health officers or quarantine officers, cases or outbreaks of any of the diseases enumerated or referred to in section 47 of this title and to enforce such measures for the prevention, or extermination, of said diseases as are authorized by law. (3) To investigate through county health officers or quarantine officers all nuisances to public health, and through said officers to take proper steps for the abatement of such nuisances. (4) To exercise, through county health officers or quarantine officers, special supervision over the sanitary conditions of schools, hospitals, asylums, jails, almshouses, theatres, opera houses, court houses, churches, public halls, prisons, markets, dairies, milk depots, slaughter pens or houses, railroad depots, railroad cars, dining cars, street railroad cars, lines of railroads and street railroads (including the territory contiguous to said lines), industrial and manufacturing establishments, offices, stores, banks, club houses, hotels, rooming houses, residences, the sources of supply, tanks, reservoirs, pumping stations, and avenues of conveyance of drinking water, and other institutions and places of like character; and whenever insanitary conditions are found, to use all legal means to have the same abated. (5) The county health officer shall be chosen under the present state or local merit system. (6) Whenever two or more counties, acting through their respective courts "of county commissioners or boards of revenue, as the case may be, shall agree to appropriate proportionately from the funds of their respective counties a sufficient sum to provide a district health department, then the county boards of health

of these respective counties shall meet in joint session and may organize a district board of health composed in a similar manner and number as outlined in Section 4 hereof. The district board of health shall be empowered to organize advisory committees, disburse funds and utilize the advice and expertise of the previously existing county boards of health. The district board of health, or the consortium of county boards of health, shall elect a full-time health officer and fix his term of office at not less than three (3) years. The full-time health officer shall devote all of his time to the duties of his office in the district for which he is elected. No full-time health officer elected under the authority of this subsection shall assume office until his election shall have been approved by the state board of health; and if such board refuses to approve his election, another district health officer shall forthwith be elected. The jurisdiction of such officer shall extend to all parts of each county in the district, including all incorporated municipalities in the several counties composing such district; and he shall be subject to removal as provided in subsection 5 next preceding. The salary of district health officers shall be fixed in the same manner as that of county health officers. Whenever the term 'county health officer' occurs in this chapter, it shall be construed as applying likewise to district health officers."

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Doss	Kinsey	Pruitt
Adwell	Downing	Lang	Reid (R)
Bank	Drake	Lutz	Reynolds
Barkett	Easters	McBride	Roberts
Barron	Edwards	McCluskey	Robertson
Benton	Ellis	McDonald	St. John
Boutwell	Erdreich	McMillan	Snell
Bowers	Falkenburg	McNair	Stewart
Burgess	Fite	Manley	Stokes
Callahan	Flippo	Mathews	Stubbs
Carnes	Goodwin	Meeks	Taylor
Carter	Grainger	Merrill	Therrell
Chesnut	Hale	Mims	Waggoner
Collins	Headley	Naramore	Waldrop
Connell	Hearn	Nettles	Warren
Crawford	Hill	Owens	Williams
Cross	Hobbie	Parker	Wise
Crowe	Jones (F)	Perloff	Wood
Culver	King	Porter	Wynot

—75

Mr. Robertson offered the following amendment to the bill, H. 1307 as amended:

On page 1, in Section 1, at the end of the first paragraph, after the word "thereof" add the following:

"one shall be a representative of organized labor appointed by the Governor".

And the amendment was adopted.

Yeas 48; Nays 25.

Yeas:

Mr. Speaker	Drake	McDonald	St. John
Boles	Easters	Manley	Smith (P)
Boutwell	Ellis	Mathews	Stewart
Bowers	Erdreich	Meeks	Stubbs
Carnes	Fite	Mims	Taylor
Carter	Gafford	Naramore	Therrell
Casey	Goodwin	Owens	Waldrop
Crawford	Grainger	Parker	Wallace
Crowe	Grey (D)	Perloff	Warren
Culver	Headley	Reid (R)	Williams
Doss	Jones (F)	Reynolds	Wood
Downing	McCorquodale	Robertson	Wynot

—48

Nays:

Messrs.:	Chesnut	King	Nettles
Adams	Connell	Lang	Roberts
Barron	Cottingham	Lutz	Snell
Benton	Falkenburg	McBride	Stokes
Burgess	Hale	McCluskey	Turner
Callahan	Hearn	McNair	Waggoner
Cauthen	Hill		

—25

Mr. Smith (P) offered the following amendment to the bill, H. 1307 as amended:

On page 1, in Section 1, at the end of the first paragraph, after the word "thereof" add the following:

"one shall be a lawyer, one shall be a certified public accountant".

AMENDMENT TABLED

On motion of Mr. Bank, the amendment offered by Mr. Smith (P) to the bill, H. 1307 as amended, was tabled.

Yeas 61; Nays 4.

Yeas:

Messrs.:	Cross	Lang	Reid (R)
Adams	Culver	Lutz	Reynolds
Bank	Doss	McBride	Robertson
Barron	Downing	McCorquodale	St. John
Bassett	Drake	McDonald	Smith (K)
Benton	Ellis	McMillan	Snell
Boutwell	Grainger	McNair	Stewart
Burgess	Hardin	Mims	Stokes
Carnes	Headley	Naramore	Stubbs
Carter	Hill	Nettles	Turner
Chesnut	Hobbie	Owens	Waggoner
Collins	Hughes	Parker	Waldrop
Connell	Jackson	Perloff	Warren
Coshatt	Jones (F)	Porter	Wise
Cottingham	King	Pruitt	Wynot
Crawford	Kinsey		

—61

Nays:

Messrs.: Hearn Meeks Smith (P)
Fite

—4

Mr. Cauthen offered the following substitute to the bill, H. 1307 as amended:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1, 2, 3, 4, 8 and 9, Title 22, Code of Alabama 1940, as amended, which sections relate to the State Board of Health, so as to further regulate said Board.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1, Title 22, Code of Alabama 1940, as amended, is hereby amended to read as follows:

"Section 1. There is hereby created a State Board of Health, composed of fourteen (14) members, as hereinafter prescribed: Ten (10) of the members shall be physicians; One (1) shall be the Chairman of the Council On Health Costs, Administration & Organization as hereinafter defined; one (1) shall be Chairman of the Council On Prevention Of Disease & Medical Care as hereinafter defined; one (1) shall be Chairman of the Council On Animal & Environmental Health as hereinafter defined; one (1) shall be Chairman of the Council On Dental Health as hereinafter defined, each of whom shall have one vote. The Chairman shall vote only in case of a tie. The State Health Officer shall be ex-officio secretary of the Board of Health, though not a member thereof, and he shall have no vote.

"If, during the course of a term, a member becomes ineligible because he is no longer a member of the sponsoring organization, or because of resignation, or for any other reason is unable to serve, the sponsoring organization shall appoint a replacement for the unexpired term.

"A majority of the Board shall elect a Chairman and Vice Chairman to serve one term of four (4) years. Upon incapacitation or resignation of the Chairman, the Vice Chairman shall succeed to the chairmanship of the Board.

"The members of the Board, shall be appointed as follows: The Medical Association of the State of Alabama shall appoint ten (10) physician members of the Board; the council shall be appointed by the respective state professional associations for each position on each such council in the same manners as is herein provided for members of the Board.

"Terms of members of the first Board under this Act shall be chosen by lot as follows: Two (2) members shall be chosen for a term to expire on September 30, 1980; three (3) members shall be chosen for a term to expire on September 30, 1979; three (3) members shall be chosen for a term to expire on September 30, 1978; three (3) members shall be chosen for a term to expire on September 30, 1977; three (3) members to be chosen for a term to expire on September 30, 1976;

"Their successors shall, in each case, be appointed by their respective organizations as above prescribed for a term of five (5) years. No member

shall be appointed to succeed himself more than once, even though he does not serve a full term under one appointment. In the event of resignation, incapacitation or ineligibility of a member of said Board, his successor to fill the unexpired term shall be appointed in the same manner as mentioned herein

"The Councils herein names shall be composed as follows"

COUNCIL ON HEALTH COSTS, ADMINISTRATION & ORGANIZATION

- 3 Hos. Administration
- 2 Physicians
- 1 Dentist
- 1 Rep. Ala. League of Municipalities
- 1 Rep. Ala. Assoc. of County Comm.
- 1 Rep. Ala. House of Representatives
- 1 Rep. Ala. Senate
- 3 Pharmacists

COUNCIL ON PREVENTION OF DISEASE & MEDICAL CARE

- 6 Physicians
- 1 Veterinarian
- 2 Nurses (RN)
- 1 Pharmacist
- 1 Hos. Administration
- 1 Dentist

COUNCIL ON ANIMAL & ENVIRONMENTAL HEALTH

- 3 Veterinarians
- 1 Physician
- 1 Expert-Ala. Water Improvement Comm.
- 1 Expert-Ala. Air Pollution Comm.
- 1 Attorney-Ala. Bar Association

COUNCIL ON DENTAL HEALTH

- 6 Dentist
- 1 Nutritionist
- 1 Hygienist

Section 2. Section 2, Title 22, Code of Alabama 1940, as amended, is hereby amended to read as follows:

"Section 2. The State Board of Health as constituted by Section 1 of this Chapter shall succeed to all the prerogatives and duties heretofore prescribed by law for the State Committee of Public Health. Upon the enactment of this law, the State Health Officer is directed to notify the identified organizations and associations from which the Board and Councils are to be composed, and make known the change outlined herein. Upon receipt of the names of appointive members, the State Health Officer shall call an organizational meeting of the State Board of Health and of each Council, both to be held within one hundred twenty (120) days after the enactment of this law. The purpose of this original meeting shall be to elect a chairman and vice chairman of the Board and to formulate plans for the orderly transfer of power and authority of the existing State Committee of Public Health, and to

REGULAR SESSION
30th Day

3783

elect a Chairman of each council herein described. The State Health Officer shall also perform these necessary functions for the reconstitution of the county boards of health.

Section 3. Section 3, Title 22, Code of Alabama 1940, as amended, is hereby amended to read as follows:

"Section 3. The State Board of Health shall be accountable to the Legislature of Alabama and shall make annual reports to the Legislature within thirty (30) days following the end of each year. The Legislature or any Committee thereof may, from time to time, request certain information from the State Board of Health, and the Board of Health is hereby directed to lend its full cooperation in response to these requests.

"When the State Board of Health is not in session, the State Health Officer, as executive officer of the Department of Public Health, shall act for said Board and shall have and discharge all of the prerogatives and duties of said Board. He shall report his actions to the Board at its next meeting after such action is taken; and such action of the State Health Officer shall then be subject to confirmation or modification. Meetings of the State Board of Health shall be held monthly. A majority of the members shall constitute a quorum. Special meetings of the Board may be called by the chairman, upon ten (10) days prior written notice to the members of the Board. Members of the Board shall serve without compensation except for reimbursement for travel and out of pocket expenses.

Section 4, Title 22, Code of Alabama 1940, as amended, is hereby amended to read as follows:

"Section 4. There is hereby created a County Board of Health for each county in the State. The county boards of health in the respective counties in the State of Alabama shall be comprised of twelve (12) members, of whom one shall be the county health officer and who shall have a vote. The remaining eleven (11) members shall be appointed by the organization representing each profession in the respective counties and shall be composed of seven (7) physicians, one (1) dentist, One (1) pharmacist, one (1) hospital administrator, one (1) registered nurse.

"Terms of members constituting the first county board of health under this Act shall be chosen by lot as follows: Three (3) for a term to expire on September 30, 1979; three for a term to expire on September 30, 1978; three for a term to expire on September 30, 1977; three for a term to expire September 30, 1976;

"Successors shall, in each case, be appointed by their respective organizations in the manner prescribed above for five years. In the event of the resignation, incapacitation, or ineligibility of a member of the said board, the replacement to fill the unexpired term of said member shall be appointed in the same manner as mentioned herein.

"In those counties not having the specified organizations and in the absence of any of the individuals in the specified professions, others may be appointed to fill the required membership. These appointments shall be made by the county governing body with the advice and consent of the State Board of Health.

"The organizational meeting of each reconstituted county board of health will be determined in conjunction with the county judge of probate in a manner described in Section 2 hereof."

Section 5. Section 8, Title 22, Code of Alabama 1940, as amended, is hereby amended to read as follows:

"Section 8. It shall be the duty of the county boards of health in their respective counties and subject to the supervision and control of the State Board of Health: (1) To supervise the enforcement of the health laws of the state, including all ordinances or rules and regulations of municipalities or of county boards of health or of the state board of health; and to supervise the enforcement of the law for the collection of vital and mortuary statistics, and to adopt and promulgate, if necessary, rules and regulations for administering the health laws of the state and the rules and regulations of the state board of health, which rules and regulations of the county boards of health shall have the force and effect of law and shall be executed and enforced by the same bodies, officials, agents, and employees as in the case of health laws. (2) To investigate, through county health officers or quarantine officers, cases or outbreaks of any of the diseases enumerated or referred to in section 47 of this title and to enforce such measures for the prevention, or extermination, of said diseases as are authorized by law. (3) To investigate through county health officers or quarantine officers all nuisances to public health, and through said officers to take proper steps for the abatement of such nuisances. (4) To exercise, through county health officers or quarantine officers, special supervision over the sanitary conditions of schools, hospital, asylums, jails, almshouses, theatres, opera houses, court houses, churches, public halls, prisons, markets, dairies, milk depots, slaughter pens or houses, railroad depots, railroad cars, dining cars, street railroad cars, lines or railroads and street railroads (including the territory contiguous to said lines), industrial and manufacturing establishments, offices, stores, banks, club houses, hotels, rooming houses, residences, the sources of supply, tanks, reservoirs, pumping stations, and avenues of conveyance of drinking water, and other institutions and places of like character; and whenever insanitary conditions are found, to use all legal means to have the same abated. (5) To elect a county health officer subject to the approval of the State Board of Health, who shall devote all of his time to the duties of his office, and to fix his term of office at not less than three years, in such counties of the state as shall, through their proper authorities, make appropriations for full-time public health service. No county health officer elect shall assume office until his election shall have been approved by the State Board of Health, and if such Board refuses to approve his election, another county health officer shall be forthwith elected. The jurisdiction of such officer shall extend to all parts of the county, including all incorporated municipalities; and should the health officer so elected neglect or fail faithfully to perform any of the duties which are lawfully prescribed for him, or if he fails or refuses to observe or conform to the rules, regulations, or policies of the state board of health, the state health officer shall remove said county health officer from office; and when any county health officer shall be so removed, he shall have the right to appeal to the state board of health, and when such appeal has been taken, said board shall investigate fully the causes for which he was removed from office. If ten members of said board vote to affirm the action of said state health officer, then his action shall be affirmed; otherwise, it shall be reversed. (6) Whenever two or more counties, acting through their respective courts of county commissioners or boards of revenue, as the case may be, shall agree to appro-

priate proportionately from the funds of their respective counties a sufficient sum to provide a district health department, then the county boards of health of these respective counties shall meet in joint session and may organize a district board of health composed in a similar manner and number as outlined in Section 4 hereof. The district board of health shall be empowered to organize advisory committees, disburse funds and utilize the advice and expertise of the previously existing county boards of health. The district board of health, or the consortium of county boards of health, shall elect a full-time health officer and fix his term of office at not less than three (3) years. The full-time health officer shall devote all of his time to the duties of his office in the district for which he is elected. No full-time health officer elected under the authority of this subsection shall assume office until his election shall have been approved by the state board of health; and if such board refuses to approve his election, another district health officer shall forthwith be elected. The jurisdiction of such officer shall extend to all parts of each county in the district, including all incorporated municipalities in the several counties composing such district; and he shall be subject to removal as provided in subsection 5 next preceding. The salary of district health officers shall be fixed in the same manner as that of county health officers. Whenever the term 'county health officer' occurs in this chapter, it shall be construed as applying likewise to district health officers."

Section 6. Section 9, Title 22, Code of Alabama 1940, as amended, is hereby amended to read as follows:

"Section 9. The state board of health shall elect an executive officer who shall be a physician licensed in the State of Alabama to be known as the State Health Officer, and shall fix his term of office and salary. The qualifications of this individual shall be determined by the newly constituted State Board of Health. The state health officer so elected shall, under the direction of the state board of health and with the approval of the state personnel board, fix the salaries of the medical employees of the state board of health. The state health officer shall exercise general supervision over county boards of health and county health officers, and promptly report to said county boards of health any delinquencies of official duty on the part of the said county health officers which may come to his knowledge; keep himself informed in regard to all diseases which may be in danger of invading the state, and, as far as authorized by law, take prompt measures to prevent such invasions; and keep the governor informed as to health conditions prevailing in the state, especially as to outbreaks of any of the diseases enumerated in section 47 of this title, and submit to the governor such recommendations as he deems proper to control such outbreaks."

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective October 1, 1974, and by approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Mr. Bank, the substitute offered by Mr. Cauthen to the bill, H. 1307 as amended, was tabled.

Yeas 45; Nays 32.

Yeas:

Messrs.:	Culver	Lutz	St. John
Bank	Doss	McCorquodale	Smith (K)
Barkett	Downing	McDonald	Stewart
Benton	Drake	Mims	Stokes
Bowers	Goodwin	Owens	Stubbs
Burgess	Grainger	Parker	Therrell
Carnes	Headley	Perloff	Waggoner
Carter	Hearn	Reid (R)	Waldrop
Collins	Jackson	Reynolds	Wallace
Connell	King	Roberts	Warren
Coshatt	Kinsey	Robertson	Wynot
Cross	Lang		

—45

Nays:

Mr. Speaker	Edwards	McBride	Nettles
Adams	Ellis	McCluskey	Slate
Barron	Falkenburg	McMillan	Smith (P)
Boutwell	Fite	McNair	Snell
Casey	Flipppo	Manley	Taylor
Cauthen	Gafford	May	Turner
Cottingham	Harris	Meeks	Williams
Crawford	Hill	Merrill	Wood

—32

Mr. Cauthen offered the following amendment #1 to the bill, H. 1307 as amended:

Amend Section 9 of H. B. 1307 by striking therefrom the word "may" on the second line thereof and by substituting in lieu thereof the word "shall".

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	Lutz	Reynolds
Adams	Culver	McBride	Roberts
Adwell	Doss	McCluskey	Robertson
Bank	Drake	McCorquodale	St. John
Barkett	Edwards	McDonald	Slate
Barron	Ellis	McMillan	Smith (K)
Benton	Falkenburg	McNair	Smith (P)
Boles	Fite	Manley	Snell
Boutwell	Flipppo	Mathews	Stewart
Bowers	Gafford	May	Stokes
Burgess	Goodwin	Meeks	Stubbs
Callahan	Grainger	Merrill	Taylor
Carnes	Hale	Mims	Therrell
Carter	Hardin	Naramore	Timmons
Casey	Harris	Nettles	Turner
Cauthen	Headley	Owens	Waggoner
Chesnut	Hearn	Parker	Waldrop
Collins	Hill	Perloff	Warren
Connell	Hobbie	Porter	Williams
Cottingham	Jackson	Pruitt	Wood
Crawford	King	Reid (R)	Wynot
Cross	Kinsey		

—86

REGULAR SESSION
30th Day

3787

Mr. Cauthen offered the following amendment #2 to the bill, H. 1307 as amended:

Amend Section 3 of H. B. 1307 by striking therefrom the words "Governor" and by substituting in lieu thereof the words "Legislature."

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jackson	Porter
Adams	Crawford	Jones (F)	Reed (T)
Adwell	Cross	King	Reid (R)
Bank	Crowe	Kinsey	Reynolds
Barkett	Culver	Lutz	Roberts
Barron	Downing	McBride	Robertson
Bassett	Drake	McCluskey	St. John
Benton	Easters	McCorquodale	Smith (K)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Bowers	Fite	Manley	Stokes
Burgess	Flippo	Mathews	Stubbs
Callahan	Gafford	Meeks	Therrell
Carnes	Goodwin	Merrill	Timmons
Carter	Grainger	Mims	Turner
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Hearn	Owens	Warren
Connell	Hill	Parker	Wood
Coshatt	Hobbie	Perloff	Wynot

—84

Mr. McNair offered the following amendment to the bill, H. 1307 as amended:

Amend Section 1 by adding at the end of Section 1 the following:

"Of those appointed to said Board, at least one representative of the black people of this state shall be a medical doctor."

Mr. Burgess offered the following substitute amendment to the amendment offered by Mr. McNair to the bill, H. 1307 as amended:

Include Chinese, Indian, Puerto Rican, Dutch, German, French physician.

SUBSTITUTE AMENDMENT TABLED

On motion of Mr. Bank, the substitute amendment offered by Mr. Burgess was tabled.

Yeas 47; Nays 20.

Yeas:

Messrs.:	Barron	Carter	Easters
Adams	Benton	Casey	Erdreich
Bank	Boutwell	Chesnut	Flippo
Barkett	Carnes	Downing	Gafford

Goodwin	Lutz	Porter	Taylor
Grainger	McBride	Reed (T)	Therrell
Hale	McDonald	Reid (R)	Timmons
Hearn	McMillan	St. John	Turner
Hill	Nettles	Smith (K)	Waldrop
Jackson	Owens	Snell	Wallace
Jones (F)	Parker	Stewart	Warren
Lang	Perloff	Stokes	Wood

—47

Nays:

Messrs.:	Cross	Hobbie	Naramore
Burgess	Doss	Kinsey	Reynolds
Cauthen	Ellis	McCluskey	Robertson
Collins	Fite	Meeks	Stubbs
Cottingham	Hardin	Merrill	Waggoner
Crawford			

—20

The question was then on the amendment offered by Mr. McNair to the bill, H. 1307 as amended.

MOTION TO TABLE LOST

The motion offered by Mr. Burgess to table the amendment offered by Mr. McNair to the bill, H. 1307 as amended, was lost.

Yeas 31; Nays 31.

Yeas:

Messrs.:	Collins	Jackson	Snell
Barkett	Cottingham	Lang	Stokes
Barron	Cross	Meeks	Stubbs
Bowers	Ellis	Naramore	Therrell
Burgess	Fite	O'Daniel	Turner
Callahan	Grainger	Porter	Waggoner
Carter	Hearn	Reynolds	Wise
Chesnut	Hughes	St. John	Wood

—31

Nays:

Messrs.:	Crawford	McBride	Reed (T)
Adams	Doss	McCluskey	Reid (R)
Bank	Erdreich	McDonald	Slate
Benton	Flippo	McMillan	Smith (P)
Boutwell	Gafford	McNair	Taylor
Carnes	Hill	Merrill	Waldrop
Cauthen	Jones (F)	Nettles	Wallace
Connell	King	Perloff	Wynot

—31

The question was again on the amendment offered by Mr. McNair to the bill, H. 1307 as amended, and the amendment was adopted.

Yeas 33; Nays 25.

Yeas:

Messrs.:	Boutwell	Connell	Ellis
Bank	Carnes	Crawford	Erdreich
Benton	Cauthen	Doss	Flippo

REGULAR SESSION
30th Day

3789

Gafford	McCorquodale	Parker	Stewart
Grey (D)	McDonald	Perloff	Taylor
Hale	McMillan	Reed (T)	Waldrop
Hill	McNair	Reid (R)	Wallace
Jones (F)	Merrill	Smith (P)	Wynot
McBride	Nettles		

—33

Nays:

Messrs.:	Chesnut	Hearn	St. John
Adams	Collins	Lang	Snell
Barkett	Cottingham	Meeks	Stokes
Barron	Cross	Naramore	Therrell
Bowers	Downing	Porter	Turner
Burgess	Fite	Reynolds	Wood
Callahan	Grainger		

—25

And the bill, H. 1307 as thus amended, was read a third time at length and passed.

Yeas 68; Nays 25.

Yeas:

Messrs.:	Easters	Lutz	Robertson
Adams	Edwards	McCluskey	St. John
Bank	Ellis	McCorquodale	Slate
Barron	Erdreich	McDonald	Smith (K)
Boles	Falkenburg	McMillan	Snell
Carnes	Flippo	McNair	Stewart
Carter	Goodwin	Manley	Stokes
Casey	Grainger	Mims	Stubbs
Chesnut	Hale	Naramore	Therrell
Collins	Headley	Owens	Timmons
Connell	Hearn	Parker	Waggoner
Coshatt	Hobbie	Perloff	Waldrop
Crawford	Hughes	Porter	Wallace
Crowe	Jackson	Reed (T)	Warren
Culver	Jones (F)	Reid (R)	Wise
Doss	King	Reynolds	Wood
Downing	Lang	Roberts	Wynot
Drake			

—68

Nays:

Mr. Speaker	Cottingham	Harris	Merrill
Barkett	Cross	Hill	Nettles
Benton	Fite	Kinsey	Smith (P)
Boutwell	Gafford	McBride	Taylor
Bowers	Grey (D)	Mathews	Turner
Burgess	Hardin	Meeks	Williams
Cauthen			

—25

RESOLUTION

The following resolution was introduced:

By Messrs. Harris, Bank and Lyons:

H. J. R. 211. REQUEST TO RESTORE VETERANS DAY TO NOVEMBER 11TH

WHEREAS, the date November 11, 1918 has a place in the heart of every veteran who served in the Armed Forces of this country; and

WHEREAS, for nearly fifty years on this date of November 11th the Nation halted and paid homage to the men and women of ALL wars who have defended this country for nearly 200 years, and Alabama is recognized over the entire nation as being one of the foremost states in rendering these honors; and

WHEREAS, the Congress of the United States, some years back, changed the date of Veterans Day to an unknown and meaningless Monday in October; and

WHEREAS, the Legislatures of some 26 states of the Union, have gone on record as returning the observance of Veterans Day to November 11th, or by resolution have requested the Congress of the United States to do so; and

WHEREAS, the State of Alabama—one of the most loyal and patriotic states in the Nation—should be in the forefront of the effort to have U. S. Congress restore Veterans Day to November 11th; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Congress of the United States be requested to immediately return Veterans Day to its rightful date of November 11th.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to members of the Congressional Delegation of the State of Alabama.

The resolution, H. J. R. 211, was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion offered by Mr. Culver that the House adjourn until 2:00 o'clock p.m., Tuesday, August 21, 1973, was lost.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1624. Relating to all counties having populations of not less than 300,000 nor more than 600,000, further regulating the sale and consumption of alcoholic or malt or brewed beverages during certain hours in certain places licensed by the Alabama Alcoholic Beverage Control Board.

Also:

H. 302. Relating to Chambers County; providing further for the compensation of members of the board of registrars.

Also:

H. 303. To repeal Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241), relating to counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census,

which act abolishes the Court of County Commission of such counties and creates in lieu thereof a County Commission.

Also:

H. 1599. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

Also:

H. 1509. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Also:

H. 444. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Also:

H. 1170. To provide for the compensation of jurors in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census.

Also:

H. 304. Relating to Chambers County; abolishing the Court of County Commission of the county, and creating in lieu thereof the Chambers County Commission; dividing such county into commissioner's districts; providing for the election, terms and qualifications of the commissioners; providing that the probate judge shall have no duties with respect to the county governing body; fixing the compensation of the commissioners; providing for retroactive effect of this Act; and validating all acts of and compensation paid to said commission under the provisions of Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241).

Also:

H. 305. Relating to Chambers County; relieving the chief clerk of the probate judge of such county of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent; repealing conflicting laws and specifically repealing Act No. 495, H. 929, Regular Session 1953 (Acts 1953, p. 623).

Also:

H. 306. To repeal Act No. 1696, H. 2309, Regular Session 1971 (Acts 1971, p. 2856), an act relating to all counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial

census; relieving the chief clerk of the probate judge of any duties as purchasing agent for the county, and authorizing the governing body to appoint another purchasing agent.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Bank, the rules were suspended in order to bring up out of order the bill, H. 1337.

And the bill:

H. 1337. To establish the Alabama Board of Hearing Aid Dealers; to provide for licensure of persons who are dealers and fitters of hearing aids; to provide for the regulation of dispensing and fitting of hearing aids to the public; to provide for hearings for persons who are denied a license or have their license suspended by the Alabama Board of Hearing Aid Dealers; to repeal conflicting Acts, especially Act No. 2425, H. 392, Regular Session 1971 (Acts 1971, p. 3858); and to provide for penalties and punishment for violation of any of the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Perloff
Adams	Culver	King	Porter
Adwell	Downing	Kinsey	Reed (T)
Barkett	Drake	Lang	Reid (R)
Bassett	Easters	Lutz	Reynolds
Benton	Edwards	McCluskey	Robertson
Boles	Ellis	McDonald	St. John
Boutwell	Erdreich	McMillan	Slate
Bowers	Fite	McNair	Smith (K)
Callahan	Flippo	Manley	Smith (P)
Carnes	Goodwin	Mathews	Snell
Carter	Grainger	May	Stewart
Casey	Hale	Meeks	Therrell
Cauthen	Hardin	Mims	Timmons
Chesnut	Harris	Naramore	Waldrop
Collins	Hearn	Nettles	Williams
Connell	Hill	O'Daniel	Wise
Coshatt	Hobbie	Owens	Wood
Crawford	Hughes	Parker	Wynot
Cross	Jackson		

—78

Nay: Mr. Burgess.

—1

SPECIAL ORDER RESUMED UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" on the bill, H. 1284, to have their names added as co-sponsors.

REGULAR SESSION
30th Day

3793

And the bill:

H. 1284. (With Amendments): To provide for the uniform minimum compensation for all deputy sheriffs in every county in the State of Alabama.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Government, said Committee amendment being as follows:

Amend H. B. 1284 in Section 3 by adding the following after June 1, 1973: "This Act shall not apply in any county that did not employ four or more deputy sheriffs on June 1, 1973."

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reynolds
Adams	Downing	King	Robertson
Adwell	Drake	Kinsey	St. John
Barkett	Easters	Lutz	Slate
Barron	Edwards	McCluskey	Smith (K)
Benton	Ellis	McDonald	Smith (P)
Boles	Erdreich	McMillan	Snell
Boutwell	Fite	McNair	Stewart
Bowers	Flippo	Manley	Stokes
Burgess	Gafford	Mathews	Stubbs
Callahan	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Grey (D)	Mims	Timmons
Casey	Hale	Naramore	Turner
Cauthen	Hardin	Nettles	Waggoner
Chesnut	Harris	O'Daniel	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hearn	Perloff	Warren
Cottingham	Hill	Porter	Williams
Crawford	Hobbie	Pruitt	Wise
Cross	Hughes	Reed (T)	Wood
Crowe	Jackson	Reid (R)	Wynot

—88

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Government, said Committee amendment being as follows:

Amend Section 3 of H. B. 1284 by deleting the word "member" and substituting in lieu thereof the word "number".

And the amendment was adopted.

Yeas 74; Nays 1.

Yeas:

Mr. Speaker	Barron	Bowers	Cauthen
Adams	Benton	Callahan	Chesnut
Adwell	Boles	Carnes	Collins
Barkett	Boutwell	Carter	Connell

Crawford	Hardin	Manley	Smith (P)
Cross	Harris	Meeks	Snell
Crowe	Hearn	Merrill	Stewart
Culver	Hill	Mims	Stokes
Downing	Hobbie	Naramore	Taylor
Drake	Hughes	Nettles	Therrell
Edwards	Jackson	O'Daniel	Timmons
Ellis	Jones (F)	Owens	Waggoner
Erdreich	King	Perloff	Waldrop
Fite	Kinsey	Porter	Wallace
Flippo	Lutz	Pruitt	Warren
Gafford	McCluskey	Reid (R)	Wise
Goodwin	McDonald	St. John	Wood
Grainger	McMillan	Smith (K)	Wynot
Hale	McNair		

—74

Nay: Mr. Williams.

—1

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Local Government, said Committee amendment being as follows:

Amend Section 3 of H. B. 1284 by adding the following words at the end thereof "solely because of the provisions of this Act".

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edwards	McCluskey	Roberts
Adams	Ellis	McDonald	Robertson
Adwell	Erdreich	McMillan	St. John
Barkett	Fite	McNair	Slate
Barron	Flippo	Manley	Smith (K)
Benton	Gafford	May	Smith (P)
Boles	Goodwin	Meeks	Snell
Boutwell	Grainger	Merrill	Stewart
Bowers	Hale	Mims	Stokes
Callahan	Hardin	Naramore	Taylor
Carnes	Harris	Nettles	Therrell
Carter	Hearn	O'Daniel	Timmons
Casey	Hill	Owens	Waggoner
Chesnut	Hobbie	Parker	Waldrop
Collins	Hughes	Perloff	Wallace
Connell	Jackson	Porter	Warren
Crawford	Jones (F)	Pruitt	Williams
Cross	King	Reed (T)	Wise
Downing	Kinsey	Reid (R)	Wood
Drake	Lutz	Reynolds	Wynot
Easters			

—81

Mr. Stubbs offered the following amendment to the bill, H. 1284 as amended:

Amend H. B. 1284 by replacing Section 3 with the following section:

Section 3. No county shall reduce the number or compensation of Deputy Sheriffs employed in any county in the state to less than the number of Deputy Sheriffs employed in any county in the state or the compensation

REGULAR SESSION
30th Day

3795

paid to Deputy Sheriffs or Chief Deputy Sheriffs employed by any county in the state on June 1, 1973.

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adwell	Culver	Kinsey	Roberts
Bank	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Benton	Easters	McCluskey	Smith (K)
Boles	Ellis	McDonald	Smith (P)
Boutwell	Erdreich	McMillan	Stewart
Bowers	Fite	McNair	Stokes
Burgess	Flippo	Manley	Stubbs
Callahan	Gafford	Merrill	Taylor
Carnes	Goodwin	Mims	Therrell
Carter	Grainger	Naramore	Timmons
Casey	Hardin	Nettles	Turner
Cauthen	Harris	O'Daniel	Waggoner
Chesnut	Headley	Owens	Waldrop
Collins	Hearn	Porter	Wallace
Connell	Hill	Pruitt	Warren
Cottingham	Hughes	Reed (T)	Williams
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—78

Mr. Wood offered the following amendment to the bill, H. 1284 as amended:

Amend H. B. 1284 by adding the following to Section 3:

“This Act shall not apply in any county in which the deputy sheriffs are covered by a civil service or county merit system.”

AMENDMENT TABLED

On motion of Mr. Barron, the amendment offered by Mr. Wood to the bill, H. 1284 as amended, was tabled.

Yeas 44; Nays 18.

Yeas:

Mr. Speaker	Easters	Jones (F)	Smith (K)
Barkett	Edwards	Kinsey	Stokes
Barron	Ellis	Lang	Stubbs
Boutwell	Fite	McMillan	Taylor
Chesnut	Goodwin	Manley	Therrell
Collins	Hale	May	Timmons
Connell	Hardin	O'Daniel	Turnham
Cross	Headley	Owens	Wallace
Crowe	Hearn	Porter	Warren
Downing	Hobbie	Reed (T)	Williams
Drake	Jackson	Slate	Wynot

—44

Nays:

Messrs.:	Cottingham	Lutz	Reynolds
Brassell	Erdreich	McDonald	St. John
Callahan	Falkenburg	Mathews	Waldrop
Carnes	Grainger	Nettles	Wood
Casey	King	Perloff	

—18

MOTION TO POSTPONE TABLED

On motion of Mr. Barron, the motion offered by Mr. Callahan to postpone the bill, H. 1284 as amended, to the thirty-first legislative day, was tabled.

Yeas 65; Nays 23.

Yeas:

Mr. Speaker	Downing	Kinsey	Smith (P)
Adams	Drake	McBride	Stewart
Barkett	Easters	McCorquodale	Stokes
Barron	Edwards	McDonald	Stubbs
Bassett	Ellis	McMillan	Taylor
Boles	Erdreich	Manley	Therrell
Boutwell	Flippo	May	Timmons
Bowers	Gafford	Merrill	Turner
Brassell	Hale	Mims	Turnham
Burgess	Hardin	O'Daniel	Waggoner
Carnes	Harris	Owens	Waldrop
Cauthen	Headley	Porter	Wallace
Collins	Hill	Reid (R)	Warren
Connell	Hobbie	Robertson	Williams
Crowe	Jackson	St. John	Wise
Culver	Jones (F)	Smith (K)	Wynot
Doss			

—65

Nays:

Messrs.:	Cross	King	Parker
Benton	Fite	Lang	Perloff
Callahan	Goodwin	Lutz	Reynolds
Carter	Grainger	McCluskey	Roberts
Casey	Grey (D)	Mathews	Slate
Cottingham	Hughes	Nettles	Wood

—23

And the bill, H. 1284 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 6.

Yeas:

Mr. Speaker	Brassell	Crowe	Fite
Adams	Burgess	Culver	Flippo
Bank	Callahan	Doss	Gafford
Barkett	Carnes	Downing	Grainger
Barron	Carter	Drake	Grey (D)
Bassett	Cauthen	Easters	Hale
Benton	Chesnut	Edwards	Hardin
Boles	Collins	Ellis	Harris
Boutwell	Coshatt	Erdreich	Headley
Bowers	Cross	Falkenburg	Hill

REGULAR SESSION
30th Day

3797

Hobbie	McMillan	Porter	Taylor
Hughes	McNair	Reed (T)	Therrell
Jackson	Manley	Reid (R)	Timmons
Jones (F)	May	Robertson	Turnham
King	Meeks	St. John	Waggoner
Kinsey	Merrill	Slate	Waldrop
Lang	Mims	Smith (K)	Wallace
Lutz	Naramore	Smith (P)	Warren
McBride	Nettles	Snell	Williams
McCluskey	O'Daniel	Stewart	Wise
McCorquodale	Owens	Stokes	Wynot
McDonald	Perloff	Stubbs	

—87

Nays:

Messrs.:	Cottingham	Roberts	Wood
Casey	Reynolds	Turner	

—6

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, and duties; naming the Judge of Probate to also serve as the Judge of said Court; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

And said Bill, H. B. 301, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. J. R. 82. Changing the name of the George C. Wallace Trade School of Cullman County.

Also:

S. 394. To amend Title 13, Section 125 (75e) Code of Alabama, 1940, as amended, pertaining to establishing investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, providing for the hiring, salaries, expenses, authority and duties of such officers.

Also:

S. 442. To repeal Act No. 563, H. 705, Regular Session 1967 and Act No. 857, H. 1491, Regular Session 1971, which authorize the chairman of president of the county governing bodies of counties having a population of 15,400 to 15,625 to make expenditures from the county road, bridge and public building fund.

Also:

S. 535. Relating to Talladega County; to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the State Superintendent of Banks, or of the Comptroller of the Currency to establish, maintain, and operate additional offices or places, in cities and towns wholly or partly in such county having not less than 1200 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Also:

S. 539. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Newton, Dale County, Alabama.

Also:

S. 605. To further amend Section 1 of Act No. 88, S. 224, Regular Session (Acts 1967, p. 420) which provides clerk hire allowance for certain county officers in certain counties classified on a population basis, so as to provide additional clerk hire.

Also:

S. 606. To provide funds for clerical hire for the circuit clerk of all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census.

Also:

S. 667. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Also:

S. 715. Relating to counties having a population of not less than 35,000 nor more than 38,000 inhabitants according to the last federal de-

cennial census; requiring all members, officers and employees of any chamber of commerce or of any committee, board, agency or subsidiary of any chamber of commerce in said county to be residents of the county.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Kinsey:

H. J. R. 212. WISHING MRS. ALICE J. DUCK "BEST WISHES" DURING HER RETIREMENT YEARS

WHEREAS, the lovely and gracious Mrs. Alice J. Duck, circuit clerk and register of Baldwin County, recently retired after a long and distinguished career in that esteemed public office; and

WHEREAS, the always pleasant Mrs. Duck was ever ready to render service to anyone who came within jurisdiction of the duties of her office. She was known far and wide for her unyielding patience; and

WHEREAS, in 1946 she became the first appointed circuit clerk and register of Baldwin County when she was appointed to fill the unexpired term of her late husband. She ran for this esteemed public office and was elected in November 1952, and served diligently until her retirement in 1970; and

WHEREAS, Mrs. Duck by reason of her education, training experience, innate abilities and temperament was admirably equipped to fill this most difficult administrative position and to cope with the ceaseless day-by-day problems with which she was faced; and

WHEREAS, she demonstrated a sensitivity and responsiveness far above the average individual and was ever ready to contribute to the needs of her neighbors and for the progress and betterment of those with whom she came in contact; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to express its deepest appreciation of her years of unselfish devotion to duty, and wishes for her many happy years of retirement in which to enjoy the leisure which she so richly deserves.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Duck.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 212, on the Clerk's desk for one legislative day.

SPECIAL ORDER RESUMED

And the bill:

H. 1250. To authorize any public corporation organized under the provisions of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama to merge into any public corporation organized or the certificate of incorporation of which has been amended under the provisions of Act No. 175 enacted at the 1951 Regular Session of the Legislature of Alabama; to prescribe the means for accomplishing such merger and the effect thereof; and to prohibit any such merger except in cases where the merging corporation was created and the incorporation of the surviving corporation was authorized by the same municipality and the surviving corporation has authority to own and operate any utility system or systems of the same general nature as that of those owned by the merging corporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (F)	Roberts
Adwell	Culver	King	Robertson
Bank	Doss	Kinsey	St. John
Barkett	Downing	Lang	Slate
Barron	Drake	Lutz	Smith (K)
Benton	Easters	McBride	Smith (P)
Boles	Edwards	McCluskey	Snell
Boutwell	Ellis	McDonald	Stewart
Bowers	Erdreich	McMillan	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	May	Taylor
Callahan	Flippo	Meeks	Therrell
Carnes	Gafford	Merrill	Timmons
Carter	Goodwin	Mims	Turner
Casey	Grainger	Naramore	Turnham
Cauthen	Hale	O'Daniel	Waggoner
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker	Warren
Connell	Headley	Perloff	Wise
Coshatt	Hill	Porter	Wood
Cottingham	Hobbie	Reed (T)	Wynot
Crawford	Hughes	Reid (R)	

—91

And the bill:

H. 1623. To amend Title 8, Section 60, Code of Alabama 1940, as amended, so as to include the rainbow trout as a designated game fish.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bank	Boutwell	Carnes
Adams	Barron	Burgess	Carter
Adwell	Boles	Callahan	Casey

REGULAR SESSION
30th Day

3801

Cauthen	Goodwin	McMillan	Smith (K)
Chesnut	Grainger	Manley	Smith (P)
Coshatt	Grey (D)	Mathews	Snell
Cottingham	Hale	May	Stewart
Crawford	Harris	Meeks	Stokes
Cross	Headley	Merrill	Stubbs
Crowe	Hill	Mims	Taylor
Culver	Hughes	Naramore	Therrell
Downing	Jackson	Owens	Timmons
Drake	Jones (F)	Porter	Turner
Easters	King	Reed (T)	Waggoner
Edwards	Kinsey	Reid (R)	Waldrop
Ellis	Lang	Reynolds	Wallace
Erdreich	Lutz	Roberts	Warren
Falkenburg	McBride	Robertson	Wise
Fite	McCluskey	St. John	Wood
Flippo	McDonald	Slate	Wynot
Gafford			

—81

And the bill:

H. 1699. To amend Sections 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to provide for a State Parks Concession Commission; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

Was taken up.

Mr. Hardin offered the following amendment to the bill:

Amend House Bill 1699 by striking the title in its entirety and substituting the following:

To amend Sections 3, 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lutz	Robertson
Barron	Erdreich	McBride	St. John
Boles	Falkenburg	McDonald	Slate
Boutwell	Fite	McMillan	Smith (K)
Carnes	Flippo	Manley	Snell
Carter	Gafford	May	Stewart
Casey	Goodwin	Meeks	Stokes
Cauthen	Grainger	Merrill	Stubbs
Chesnut	Hale	Mims	Taylor
Connell	Harris	Naramore	Therrell
Coshatt	Headley	Nettles	Timmons
Crawford	Hill	Owens	Turner
Cross	Hughes	Parker	Waggoner
Crowe	Jackson	Porter	Waldrop
Doss	Jones (F)	Reed (T)	Wallace
Downing	King	Reid (R)	Wise
Drake	Kinsey	Reynolds	Wood
Easters	Lang	Roberts	Wynot
Edwards			

—73

Mr. King offered the following amendment to the bill, H. 1699 as amended:

Add the following sentence to Section 1:

"Neither the Alabama Department of Conservation, Division of State Parks nor the Alabama Historical Commission shall change any admission fee for entering a state park.

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	Reynolds
Adams	Drake	Lang	Roberts
Barkett	Easters	Lutz	Robertson
Barron	Edwards	McBride	St. John
Benton	Ellis	McCluskey	Slate
Boles	Erdreich	McDonald	Smith (K)
Boutwell	Fite	McMillan	Smith (P)
Bowers	Goodwin	Manley	Stewart
Brassell	Grainger	Mathews	Stokes
Burgess	Grey (D)	May	Stubbs
Carnes	Hale	Meeks	Timmons
Carter	Harris	Merrill	Turner
Chesnut	Headley	Mims	Waggoner
Cottingham	Hill	Naramore	Waldrop
Crawford	Hughes	Nettles	Wallace
Cross	Jackson	Owens	Warren
Culver	Jones (F)	Porter	Williams
Doss	King	Reed (T)	Wynot

—72

And the bill:

H. 1699. To amend Sections 3, 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an act "To authorize the State of

REGULAR SESSION
30th Day

3803

Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	King	Reid (R)
Adams	Downing	Kinsey	Reynolds
Barkett	Drake	Lang	St. John
Barron	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	McDonald	Stewart
Bowers	Fite	McMillan	Stokes
Brassell	Flippo	McNair	Stubbs
Burgess	Gafford	Manley	Taylor
Callahan	Goodwin	Mathews	Timmons
Carnes	Grainger	May	Turner
Carter	Grey (D)	Meeks	Waggoner
Chesnut	Hale	Merrill	Waldrop
Connell	Harris	Mims	Wallace
Cottingham	Headley	Naramore	Warren
Crawford	Hill	Nettles	Williams
Cross	Hughes	Owens	Wise
Crowe	Jackson	Porter	Wynot
Culver	Jones (F)	Reed (T)	

—79

And the bill:

H. 100. To amend Code of Alabama 1940, Title 48, Section 79, which regulates appeals from final actions and orders of the Alabama Public Service Commission, relative to the time of hearing such appeals.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cross	Ellis
Adams	Carnes	Crowe	Erdreich
Barkett	Carter	Culver	Fite
Barron	Casey	Doss	Flippo
Benton	Chesnut	Downing	Gafford
Boles	Connell	Drake	Goodwin
Boutwell	Cottingham	Easters	Grainger
Bowers	Crawford	Edwards	Grey (D)

Hale	McMillan	Porter	Therrell
Headley	McNair	Reed (T)	Timmons
Hill	Manley	Reid (R)	Turner
Hughes	Mathews	Reynolds	Waggoner
Jackson	May	Roberts	Waldrop
Jones (F)	Meeks	Robertson	Wallace
King	Merrill	St. John	Warren
Kinsey	Mims	Smith (K)	Williams
Lang	Naramore	Stewart	Wise
Lutz	Nettles	Stokes	Wynot
McBride	Owens	Stubbs	

—75

And the bill:

H. 1401. To amend Act Number 755 of the Regular Session of the Legislature of 1967 as amended by Act 1943 of the 1971 Regular Session of the Legislature relating to Supernumerary Tax Assessors, Collectors, License Commissioners and other officials by changing their requirements, qualifications and compensation.

Was taken up.

Mr. Robertson offered the following amendment to the bill:

Amend H. B. 1401 by adding at the end of Section 1 subsection (b) the following words: "or elected State and City officials."

And the amendment was adopted.

Yeas 50; Nays 18.

Yeas:

Messrs.:	Downing	Jones (F)	Slate
Bank	Easters	Lang	Smith (K)
Boles	Ellis	McCorquodale	Smith (P)
Boutwell	Erdreich	McNair	Stubbs
Brassell	Fite	May	Therrell
Burgess	Flippo	Meeks	Turnham
Carter	Goodwin	Merrill	Wallace
Chesnut	Grainger	Mims	Warren
Coshatt	Grey (D)	Owens	Williams
Cross	Headley	Parker	Wise
Crowe	Hill	Reed (T)	Wood
Culver	Hughes	Reynolds	Wynot
Doss	Jackson	Robertson	

—50

Nays:

Messrs.:	Cauthen	Lutz	St. John
Adams	Connell	McBride	Stokes
Barron	Crawford	McCluskey	Timmons
Carnes	Gafford	McMillan	Waldrop
Casey	Hale	Nettles	

—18

And the bill, H. 1401 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 7.

Yeas:

Mr. Speaker	Barron	Boutwell	Burgess
Adams	Benton	Bowers	Carnes
Bank	Boles	Brassell	Carter

REGULAR SESSION
30th Day

3805

Casey	Grainger	Manley	Smith (K)
Chesnut	Grey (D)	May	Smith (P)
Coshatt	Hale	Meeks	Stewart
Cottingham	Harris	Merrill	Therrell
Cross	Hill	Mims	Timmons
Crowe	Hobbie	Naramore	Turner
Culver	Hughes	Owens	Turnham
Downing	Jackson	Parker	Waggoner
Drake	Jones (F)	Porter	Waldrop
Easters	King	Reed (T)	Wallace
Edwards	Kinsey	Reynolds	Warren
Ellis	Lang	Roberts	Williams
Erdreich	Lutz	Robertson	Wise
Fite	McCluskey	St. John	Wood
Flippo	McCorquodale	Slate	Wynot
Goodwin	McNair		

—74

Nays:

Messrs.:	Connell	McBride	McMillan
Barkett	Crawford	McDonald	Nettles

—7

And the bill:

H. 1171. To establish the Alabama Firefighters Personnel Standards and Education Commission; to provide for the appointment, tenure, qualifications, and payment of the members of the Commission; to provide for the employees and officers of the Commission; to regulate the meetings, quorum, and seal of the Commission; to prescribe the duties and functions of the Commission; to grant to the Commission the power to make rules, regulations, and standards, and for the publication of same; to provide penalties for the violation of this Act or the regulations of the Commission; to establish the Alabama Firefighters Personnel Standards and Education Fund and to provide for the Fund to accept grants, gifts, and other payments; to provide for cooperative agreements between firefighting agencies; to make biennial appropriations for the Fund for fiscal years 1973-74 and 1974-75; to provide for the severability of the parts of the Act; and to provide for the effective date of the Act.

Was taken up.

H. 1171 POSTPONED

On motion of Mr. Bank, the bill, H. 1171, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1478. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Stubbs, the House concurred in and adopted the Senate amendment to the bill, H. 1478, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster, so as to incorporate certain territory as described herein, to-wit:

Begin at the Southwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, Township 20 South, Range 2 West, Shelby County, Alabama; thence run in an Easterly direction along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ to the Southeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$; thence run in a Northerly direction one-half mile more or less to the Southwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 31; thence run in an Easterly direction one-half mile more or less to the Southeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 31; thence run one half mile more or less to the Northeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 31; thence continue in a Northerly direction along the East line of the Southwest Quarter of the Southeast Quarter of Section 30, Township 20 South, Range 2 West and continuing in a Northerly direction along the East line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 30 and continuing in a Northerly direction along the East line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 30 to its intersection with the center line of the Atlantic Coast Line Railroad; thence run in a Southwesterly and Northwesterly direction along the Center line of Atlantic Coast Line Railroad for a distance of 5,800 feet more or less to its intersection with the North line of the SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 2 West; thence run in a Westerly direction along the North line of the SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 2 West to the Northwest corner of said SE $\frac{1}{4}$; thence run in a Southerly direction along the West line of said SE $\frac{1}{4}$ one-half mile more or less to the Southwest corner of said SE $\frac{1}{4}$ of Section 25; thence run in a Westerly direction along the North line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 20 South, Range 3 West 660 feet more or less to its intersection with the North-South center line of said $\frac{1}{4}$ - $\frac{1}{4}$; thence run in a Southerly direction along the North-South center line of said $\frac{1}{4}$ - $\frac{1}{4}$ to its intersection with the South line of said $\frac{1}{4}$ - $\frac{1}{4}$; thence run in a Westerly direction along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ a distance of 660 feet more or less to the Northwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 36; thence run in a Southerly direction along the North-South center line of the NW $\frac{1}{4}$ and continuing along the North-South center line of the SW $\frac{1}{4}$ of said Section 36 three fourths of one mile more or less to the Southwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 36; thence continue in a Southerly direction along the North-South center line of the NW $\frac{1}{4}$ of Section 1, Township 21 South, Range 3 West one-half mile more or less to the Northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 1; thence continue in a Southerly direction along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ a distance of

660 feet more or less to the East-West center line of the said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 1; thence run in an Easterly direction along the East-West center line of said Section 1, said line also being the existing City Limit line of Alabaster a distance of 1,200 feet more or less to its intersection with the center line of Interstate Highway I-65; thence run in a Southwesterly and Southerly direction along the center line of said Interstate Highway I-65 to its intersection with the Center line of U. S. Highway 31 situated in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 1; thence run in a Northwesterly direction along the center line of said U. S. Highway 31 to its intersection with the West line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 1; thence run in a Southerly direction along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ to the Southwest corner of said $\frac{1}{4}$ - $\frac{1}{4}$; thence run in an Easterly direction along the South line of said Section 1 three fourths of one mile more or less to the Southeast corner of said Section 1; thence run in a Northerly direction along the East line of said, Section 1 one mile more or less to the point of beginning.

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included with the corporate limits of the City of Alabaster, voting in a referendum election to be held on a day designated by the Probate Judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the Probate Judge of Shelby County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama, 1940 as recompiled for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided however, no resolution of the municipal governing body need be made or filed with the Probate Judge, nor need a plat of map of the territory to be annexed be filed with the Probate Judge. The question shall be on the adoption of Act No. of the 1973 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the City of Alabaster in Shelby County, Alabama. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes". If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The City of Alabaster shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes", the provisions of this Act shall become operative immediately. If the majority are "no", this Act shall have no further effect.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Carter	Downing	Goodwin
Adams	Casey	Drake	Grainger
Barkett	Chesnut	Easters	Grey (D)
Barron	Coshatt	Edwards	Hale
Benton	Cottingham	Ellis	Headley
Boles	Cross	Erdreich	Hill
Boutwell	Crowe	Fite	Hughes
Burgess	Culver	Flippo	Jones (F)
Carnes	Doss	Gafford	King

Lutz	Merrill	Reid (R)	Stubbs
McBride	Mims	Robertson	Taylor
McCluskey	Nettles	St. John	Turner
McDonald	Owens	Slate	Waldrop
McMillan	Parker	Smith (K)	Wallace
McNair	Porter	Smith (P)	Warren
Meeks	Reed (T)	Snell	Wise

—64

And the bill, H. 1478 as thus amended, was again read at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Reynolds
Adams	Drake	Kinsey	Robertson
Adwell	Easters	Lang	St. John
Barkett	Edwards	Lutz	Smith (K)
Barron	Ellis	McBride	Smith (P)
Benton	Fite	McCluskey	Snell
Boles	Flippo	McDonald	Stewart
Boutwell	Gafford	McMillan	Stubbs
Burgess	Goodwin	McNair	Taylor
Carnes	Grainger	Meeks	Timmons
Carter	Grey (D)	Merrill	Turner
Casey	Harris	Mims	Waldrop
Chesnut	Headley	Nettles	Wallace
Cottingham	Hill	Owens	Warren
Crowe	Hughes	Parker	Wynot
Culver	Jones (F)	Porter	

—63

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1360. To create the office of license inspector in all counties having populations of not less than 115,000 and not more than 150,000, according to the most recent federal decennial census; to provide for the supervision of such office by the governing body of such counties; to authorize the governing body of such counties to provide for certain personnel and duties of such office and for salaries; to repeal Section 18 of Act No. 1292, H. 1795, Regular Session 1971 (Acts 1971, p. 2220).

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1474. To alter and re-arrange the boundary lines of the Town of Helena, Alabama, so as to include within the corporate limits of said town,

REGULAR SESSION
30th Day

3809

all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said town.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Stubbs, the House concurred in and adopted the Senate amendment to the bill, H. 1474, said Senate amendment being as follows:

Amend H. B. 1474 by adding after Section 1 the following Section and re-number the following sections:

"Section 2. The Northeast quarter of the Southwest quarter and the West one-half of the Southeast quarter (NE¼ of SW¼ and W½ of SE¼) Section 27, Township 20 South, Range 3 West, Shelby County, Alabama.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Robertson
Adams	Downing	Lang	St. John
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Brassell	Flippo	Mathews	Taylor
Burgess	Gafford	Meeks	Therrell
Carnes	Goodwin	Merrill	Timmons
Carter	Grainger	Mims	Turner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Cottingham	Headley	Owens	Warren
Crawford	Hill	Porter	Williams
Cross	Hughes	Reed (T)	Wise
Crowe	Jones (F)	Reynolds	Wynot
Culver	King		

—70

And the bill, H. 1474 as thus amended, was again read at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Collins	Grainger	Mathews
Adams	Cottingham	Grey (D)	May
Adwell	Cross	Harris	Meeks
Barkett	Crowe	Headley	Merrill
Barron	Culver	Hill	Mims
Benton	Doss	Hughes	Naramore
Boles	Downing	Jones (F)	Nettles
Boutwell	Easters	King	Owens
Burgess	Ellis	Kinsey	Porter
Carnes	Erdreich	Lang	Reed (T)
Carter	Fite	Lutz	Reynolds
Casey	Flippo	McBride	Roberts
Cauthen	Gafford	McCluskey	Robertson
Chesnut	Goodwin	McMillan	St. John

Slate
Smith (K)
Smith (P)
SnellStewart
Stokes
Stubbs
TaylorTimmons
Turner
Waldrop
WallaceWarren
Williams
Wise
Wynot

—72

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1270. To create a court with County wide limited jurisdiction of criminal cases and civil action which court shall be called the Inferior Court of Henry County, Alabama; to provide for the jurisdiction of said Inferior Court of Henry County, Alabama; to provide for regular monthly sessions of said Inferior Court of Henry County, Alabama, as to civil cases and criminal cases; to provide for the jurisdiction and powers of the court hereby established and the officers thereof; to fix their duties, powers, authority and compensation, their election of appointment, terms of office, and for costs and fees in such court; to abolish the County Court of Henry County and the Juvenile Court of Henry County and all Justice of the Peace Courts in said County; and to provide for the transfer of all cases pending in County Court of Henry County and the Juvenile Court of Henry County to the newly established Inferior Court of Henry County, Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Connell, the House concurred in and adopted the Senate amendment to the bill, H. 1270, said Senate amendment being as follows:

On page 9, Section 12(c), strike said Section 12(c) in its entirety and place in lieu thereof the following:

(c) The Judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of Judge unless he is, at the time of his appointment of election, a qualified elector of Henry County. If the Judge is otherwise licensed to practice law, he may so practice in Henry County, Alabama, and shall otherwise be subject to the same penalties and obligations as Circuit Judges, while in his official capacity as Judge. Any vacancy occurring in the office of Judge shall be filled by appointment as provided in Section 158 of the Constitution of the State of Alabama.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Bank
Barkett
BarronBenton
Boles
Boutwell
Brassell
Burgess
CallahanCarnes
Carter
Casey
Cauthen
Chesnut
CollinsConnell
Coshatt
Cottingham
Crawford
Cross
Crowe

REGULAR SESSION
30th Day

3811

Culver	Hill	Meeks	Snell
Doss	Hobbie	Merrill	Stewart
Downing	Hughes	Mims	Stokes
Drake	Jackson	Naramore	Stubbs
Easters	Jones (F)	Nettles	Taylor
Edwards	King	Owens	Therrell
Ellis	Kinsey	Parker	Timmons
Erdreich	Lutz	Porter	Turner
Falkenburg	McBride	Reed (T)	Waggoner
Fite	McCluskey	Reynolds	Waldrop
Flippo	McDonald	Roberts	Wallace
Gafford	McMillan	Robertson	Warren
Goodwin	McNair	St. John	Williams
Grainger	Manley	Slate	Wise
Grey (D)	Mathews	Smith (K)	Wood
Harris	May	Smith (P)	Wynot
Headley			

—89

And the bill, H. 1270 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1265. To amend the title and Section 1 and Section 2 and Section 3, of Act No. 920, H. 1712, Regular Session, 1971 (Acts 1971, Page 1680), which authorizes the County Commission to pay the salaries of clerks for the

Tax Assessor and the Tax Collector in certain Counties classified on a population basis.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Connell, the House concurred in and adopted the Senate amendment to the bill, H. 1265, said Senate amendment being as follows:

In the tenth line of Section 2, change the figure of \$480.00 to \$5,000.00.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 1265 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Carter	Downing	Harris
Adams	Casey	Drake	Headley
Adwell	Cauthen	Easters	Hill
Bank	Chesnut	Edwards	Hobbie
Barkett	Collins	Ellis	Hughes
Barron	Connell	Erdreich	Jackson
Benton	Coshatt	Falkenburg	Jones (F)
Boles	Cottingham	Fite	King
Boutwell	Crawford	Flippo	Kinsey
Brassell	Cross	Gafford	Lutz
Burgess	Crowe	Goodwin	McBride
Callahan	Culver	Grainger	McCluskey
Carnes	Doss	Grey (D)	McDonald

REGULAR SESSION

3813

30th Day

McMillan	Owens	Smith (K)	Turner
McNair	Parker	Smith (P)	Waggoner
Manley	Porter	Snell	Waldrop
Mathews	Reed (T)	Stewart	Wallace
May	Reynolds	Stokes	Warren
Meeks	Roberts	Stubbs	Williams
Merrill	Robertson	Taylor	Wise
Mims	St. John	Therrell	Wood
Naramore	Slate	Timmons	Wynot
Nettles			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1680. To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mims, the House concurred in and adopted the Senate amendment to the bill, H. 1680, said Senate amendment being as follows:

In Section 1, strike out in its entirety the last paragraph thereof and substitute in lieu thereof the following:

The above described parcels are intended to be a description of and to embrace the West half (W $\frac{1}{2}$) of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$; the S $\frac{1}{2}$ of S $\frac{1}{2}$ of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$; the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$; and the N $\frac{1}{2}$ of N $\frac{1}{2}$ of N $\frac{1}{2}$ of the SE $\frac{1}{4}$, all in Section 2, T5N, R7E. Also, the S $\frac{1}{2}$ of S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 3, T5N, R7E and the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 10, T5N, R7E, all in Monroe County, Alabama.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Ellis	Jones (F)
Adams	Chesnut	Erdreich	King
Adwell	Collins	Falkenburg	Kinsey
Bank	Connell	Fite	Lutz
Barkett	Coshatt	Flippo	McBride
Barron	Cottingham	Gafford	McCluskey
Benton	Crawford	Goodwin	McDonald
Boles	Cross	Grainger	McMillan
Boutwell	Crowe	Grey (D)	McNair
Brassell	Culver	Harris	Manley
Burgess	Doss	Headley	Mathews
Callahan	Downing	Hill	May
Carnes	Drake	Hobbie	Meeks
Carter	Easters	Hughes	Merrill
Casey	Edwards	Jackson	Mims

Naramore	Robertson	Stokes	Waldrop
Nettles	St. John	Stubbs	Wallace
Owens	Slate	Taylor	Warren
Parker	Smith (K)	Therrell	Williams
Porter	Smith (P)	Timmons	Wise
Reed (T)	Snell	Turner	Wood
Reynolds	Stewart	Waggoner	Wynot
Roberts			

—89

And the bill, H. 1680 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1551. To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, term, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Grainger, the House concurred in and adopted the Senate amendment to the bill, H. 1551, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Madison County Commission, or other like governing body, may, as hereinafter provided, create and establish a county computer department. Said county computer department is hereinafter referred to in this Act as the department.

Section 2. The words "computer equipment" as used in this Act shall be defined to mean any mechanical equipment, by whatever name called, whether it be a brand name, trade name, nickname or common name, as may be purchased, leased or otherwise obtained by the Madison County Commission or other governing body and assigned to such department.

Section 3. If the county commission, or other like governing body, elects to create and establish the department as provided for in this Act, it shall appoint a director of the department and any vacancy in the office of the director of said department because of death, resignation or otherwise, shall be filled by a majority vote of the appointing body.

Section 4. The salary of the director of the department shall be fixed by the county personnel board and shall be payable in equal monthly installments out of the General Fund of the county by warrant properly drawn on said fund. The direction of the department shall be a county officer, shall have an official seal of office and shall maintain his permanent office in the county courthouse of the county, or any annex thereof or other place designated in said county by the county governing body.

Section 5. Suitable office space, and all stationery, equipment, supplies and postage necessary for the conduct of the office, shall be furnished by the governing body of the county to the director of the department.

Section 6. The director of the department may also appoint a sufficient number of clerks, including a chief clerk, and assistants, so that the duties of the office can be properly performed. Their compensation shall be fixed in accordance with the pay plan promulgated by the Madison County Commission and County Personnel Board and shall be paid out of the General Fund of the county in the same manner as the salaries of other county employees are paid.

Section 7. It shall be the duty of the director of the department to do all work for the county on computer-equipment which may be assigned to him by the county governing body for any county office, department, agency or board, by whatever name called, or any other office in the county courthouse as it may be directed to do by the county governing body, and to do any related work for all those agencies, boards, departments or offices as hereinabove referred to, as may be requested, which can be done or accomplished on computer equipment.

Section 8. It is the intent and purpose of this Act to provide a more convenient and efficient method of handling and dealing with the voluminous amount of work done by various county departments, agencies, boards and offices, which must be done or can be more efficiently done on or by computer equipment, hereinabove defined, so as to render better service to the people of said county.

Section 9. The provisions of this Act shall immediately apply and become effective in Madison County upon adoption by the county commission or other like governing body of the county of a resolution whereby it elects to come within the provisions of this Act; provided, however, that said governing body may, if it deems it advisable for the purpose of properly establishing said department and allowing the personnel to plan and become familiar with the work and equipment thereof, expend such funds as are necessary to set up said department and pay the director and personnel during said period but delay the actual date when said department is officially put into operation within the county to perform the duties and exercise the powers herein provided.

Section 10. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional such declaration shall not effect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill:

H. 1551. To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment,

REGULAR SESSION
30th Day

3817

qualifications, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

As thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1411. Relating to all counties having a population of not less than 90,000 nor more than 100,000; providing that the chairman of the county commission may under certain circumstances expend monies from the county general fund.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Carnes, the House concurred in and adopted the Senate amendment to the bill, H. 1411, said Senate amendment being as follows:

Amend Section 2, H. B. 1411, by deleting the period at the end thereof and substituting in lieu therefor the following:

“; (d) When an expenditure is neither expressly prohibited nor permitted by statute but is clearly in the best interest of the county; in which instances the chairman shall by affidavit, and in addition to the other requirements of this act, state that such expenditure is clearly in the best interest of the county.”

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 1411 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

REGULAR SESSION
30th Day

3819

H. 865. Relating to counties having a population of not less than 38,100 and not more than 40,500, according to the last federal decennial census, and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Williams, the House concurred in and adopted the Senate amendment to the bill, H. 865, said Senate amendment being as follows:

Amend H. B. 865 by striking the amount and figure \$200.00 wherever it appears and by substituting therefor the amount and figure \$100.00.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flipppo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 865 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cottingham	Ellis
Adams	Callahan	Crawford	Erdreich
Adwell	Carnes	Cross	Falkenburg
Bank	Carter	Crowe	Fite
Barkett	Casey	Culver	Flipppo
Barron	Cauthen	Doss	Gafford
Benton	Chesnut	Downing	Goodwin
Boles	Collins	Drake	Grainger
Boutwell	Connell	Easters	Grey (D)
Brassell	Coshatt	Edwards	Harris

Headley	McNair	Reed (T)	Taylor
Hill	Manley	Reynolds	Therrell
Hobbie	Mathews	Roberts	Timmons
Hughes	May	Robertson	Turner
Jackson	Meeks	St. John	Waggoner
Jones (F)	Merrill	Slate	Waldrop
King	Mims	Smith (K)	Wallace
Kinsey	Naramore	Smith (P)	Warren
Lutz	Nettles	Snell	Williams
McBride	Owens	Stewart	Wise
McCluskey	Parker	Stokes	Wood
McDonald	Porter	Stubbs	Wynot
McMillan			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 784. To fix and provide for the salary of the tax assessor in each county of the state having a population of 600,000 or more, according to the last of any subsequent federal census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the House concurred in and adopted the Senate amendment to the bill, H. 784, said Senate amendment being as follows:

Amend Section 1 of House Bill 784 by deleting the figure "\$21,945.00" and inserting in lieu thereof the figure "\$19,950.00".

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

REGULAR SESSION
30th Day

3821

And the bill, H. 784 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 149. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Falkenburg, the House concurred in and adopted the Senate amendment to the bill, H. 149, said Senate amendment being as follows:

Amend Section 2 of House Bill 149 by having said Section 2 read as follows:

“Section 2. Section 1 of said Act No. 282 is amended to read as follows:

Section 1. In every judicial circuit composed of only one county and having not less than eight circuit judges, there shall be paid to each circuit judge as supplemental salary to that paid by the State, from the general funds

of the county, in equal monthly installments, a sum equal to 33% of the salary paid said judge by the State of Alabama. The County Commission or other governing body of the county comprising such judicial circuit is hereby authorized, empowered and directed to pay the supplemental salary provided herein to each such circuit judge out of the general funds of the county or such other funds as may be available for such purpose; and such salary shall be in addition to any other allowances or expenses provided by law. The supplemental salary provided for by this act shall be in lieu of any and all other sums to be paid from the general funds of the county as provided by any local act or general act of local application. Provided further that all compensation presently received from the general funds of the county shall continue until the benefits provided by this act shall become due and payable, but in no event to be less than the salary presently received from the county general fund.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 149 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cottingham	Ellis
Adams	Callahan	Crawford	Erdreich
Adwell	Carnes	Cross	Falkenburg
Bank	Carter	Crowe	Fite
Barkett	Casey	Culver	Flippo
Barron	Cauthen	Doss	Gafford
Benton	Chesnut	Downing	Goodwin
Boles	Collins	Drake	Grainger
Boutwell	Connell	Easters	Grey (D)
Brassell	Coshatt	Edwards	Harris

REGULAR SESSION
30th Day

3823

Headley	McNair	Reed (T)	Taylor
Hill	Manley	Reynolds	Therrell
Hobbie	Mathews	Roberts	Timmons
Hughes	May	Robertson	Turner
Jackson	Meeks	St. John	Waggoner
Jones (F)	Merrill	Slate	Waldrop
King	Mims	Smith (K)	Wallace
Kinsey	Naramore	Smith (P)	Warren
Lutz	Nettles	Snell	Williams
McBride	Owens	Stewart	Wise
McCluskey	Parker	Stokes	Wood
McDonald	Porter	Stubbs	Wynot
McMillan			

—89

UNANIMOUS CONSENT GRANTED

At the request of Mr. McNair, unanimous consent was granted for the Journal to show him voting "Yea" on the motion offered by Mr. Bank to table the amendment offered by Mr. Burgess to the bill, H. 1307.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 146. To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Falkenburg, the House concurred in and adopted the Senate amendment to the bill, H. 146, said Senate amendment being as follows:

Amend Section 2 of House Bill 146 by having said Section 2 read as follows:

"Section 2. Section 1 of said Act No. 281 is amended to read as follows:

"Section 1. Any supernumerary circuit judge or retired circuit judge in any judicial circuit now or hereafter composed of any one county and having not less than eight circuit judges shall be entitled to receive as additional compensation payable from the treasury of the county, a sum equal to 33% of the compensation paid said judge by the State of Alabama. The salaries or compensation provided for herein is supplemental to the salaries or compensation paid such judges by the state and shall be paid out of the general funds of the county in twelve equal monthly installments on warrants properly drawn against such funds. The supplemental salary provided for by this act shall be in lieu of any and all other sums to be paid from the general funds of the county as provided by any local act or general act of local application.

Provided further that all compensation presently received from the general funds of the county shall continue until the benefits provided by this act shall become due and payable."

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 146 as thus amended, was read again at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 781. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of salaries of said Judges.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Falkenburg, the House concurred in and adopted the Senate amendment to the bill, H. 781, said Senate amendment being as follows:

Amend Section 1 of House Bill 781 by deleting the words and figures "twenty four thousand and no/100 Dollars (\$24,000.00)" and inserting in lieu thereof the following words and figures "twenty three thousand one hundred eighty Dollars (\$23,180.00)".

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 781 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Brassell
Adams	Barkett	Boles	Burgess
Adwell	Barron	Boutwell	Callahan

Carnes	Falkenburg	McDonald	Slate
Carter	Fite	McMillan	Smith (K)
Casey	Flippo	McNair	Smith (P)
Cauthen	Gafford	Manley	Snell
Chesnut	Goodwin	Mathews	Stewart
Collins	Grainger	May	Stokes
Connell	Grey (D)	Meeks	Stubbs
Coshatt	Harris	Merrill	Taylor
Cottingham	Headley	Mims	Therrell
Crawford	Hill	Naramore	Timmons
Cross	Hobbie	Nettles	Turner
Crowe	Hughes	Owens	Waggoner
Culver	Jackson	Parker	Waldrop
Doss	Jones (F)	Porter	Wallace
Downing	King	Reed (T)	Warren
Drake	Kinsey	Reynolds	Williams
Easters	Lutz	Roberts	Wise
Edwards	McBride	Robertson	Wood
Ellis	McCluskey	St. John	Wynot
Erdreich			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 649. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Falkenburg, the House concurred in and adopted the Senate amendment to the bill, H. 649, said Senate amendment being as follows:

Amend Section 1 of House Bill 649 by deleting the figures "\$800.00" and substituting in lieu thereof the figures "\$666.00".

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Carnes	Culver	Goodwin
Adams	Carter	Doss	Grainger
Adwell	Casey	Downing	Grey (D)
Bank	Cauthen	Drake	Harris
Barkett	Chesnut	Easters	Headley
Barron	Collins	Edwards	Hill
Benton	Connell	Ellis	Hobbie
Boles	Coshatt	Erdreich	Hughes
Boutwell	Cottingham	Falkenburg	Jackson
Brassell	Crawford	Fite	Jones (F)
Burgess	Cross	Flippo	King
Callahan	Crowe	Gafford	Kinsey

REGULAR SESSION
30th Day

3827

Lutz	Mims	St. John	Timmons
McBride	Naramore	Slate	Turner
McCluskey	Nettles	Smith (K)	Waggoner
McDonald	Owens	Smith (P)	Waldrop
McMillan	Parker	Snell	Wallace
McNair	Porter	Stewart	Warren
Manley	Reed (T)	Stokes	Williams
Mathews	Reynolds	Stubbs	Wise
May	Roberts	Taylor	Wood
Meeks	Robertson	Therrell	Wynot
Merrill			

—89

And the bill, H. 649 as thus amended, was read again at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 782. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of salaries of said Judges.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Falkenburg, the House concurred in and adopted the Senate amendment to the bill, H. 782, said Senate amendment being as follows:

Amend Section 1 of House Bill 782 by deleting the following words and figures "twenty four thousand and no/100 dollars (\$24,000.00)" and inserting in lieu thereof the following words and figures "twenty three thousand one hundred eighty and no/100 dollars (\$23,180.00)".

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 782 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 819. To amend Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, Page 797 et seq.); to name and define officers of the Birmingham-Jefferson County Civic Center Authority, and authorize the hiring of architects.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the House concurred in and adopted the Senate amendment to the bill, H. 819, said Senate amendment being as follows:

Amend H. B. 819 by renumbering Section 2 as Section 3 and substitute a new Section 2 to read as follows:

"Section 2. That Section 4 of Act No. 547 Regular Session 1965 be amended to read as follows:

"Section 4. There is hereby established in the County a public corporation for the purposes hereinafter specified, which corporation shall be vested with the powers conferred upon it by this act. The said public corporation is at times hereinafter referred to as "the Authority".

Subject to the conditions and qualifications hereinafter stated, the name of the said corporation shall be "Civic Center Authority of the Cities and County of _____ County" (In the blank space will be inserted the name of the County). The Board of Directors of the Authority may choose some name other than that above specified at any time it elects to do so; provided, however, that if the Board of Directors chooses any other name there shall be filed for record in the office of the Probate Judge of the County a copy of the resolution of the Board of Directors stating the name adopted by the Authority, which resolution shall be followed by a certificate signed by the Chairman of the Board of Directors stating the date on which the resolution was adopted and stating that the copy of the resolution preceding said certificate is a true and correct copy of the resolution adopted by the Board of Directors. The term "Legislative Electoral College", as used in this Section, shall mean that group of legislators who shall elect the elective members of the Board of Directors of the Authority, which group of legislators shall consist of the following: Each member of the House of Representatives of the Legislature of Alabama from that representative district in which the County is located and each member of the State Senate from that senatorial district in which the County is situated.

The affairs of the Authority shall be managed and controlled by a Board of Directors consisting of nine members. One of said members shall be the mayor or chief executive officer of the largest municipality in the county; at least two additional of said members shall be resident citizens of the largest municipality in the county; one of said members shall be the President or Chairman of the governing body of the county; and none of said members shall be a member of the Legislative Electoral College. The remaining mem-

bers shall be elected in the manner hereinafter prescribed; provided, however, that if there shall be a branch court house in the County, one of the members of the Board shall be a resident of the area served by such branch court house. The Chairman of the Board of Directors shall be elected by said Board after all members of the Board shall have been elected and qualified as such.

Within thirty days after this act, as amended, becomes applicable to the County the Mayor of the county seat and the President or Chairman of the governing body of the County shall address a letter, signed by them jointly in their respective official capacities, to each member of the Legislative Electoral College requesting that the Legislative Electoral College elect those members of the Board of Directors of the Authority to be elected by the Legislative Electoral College. As soon as practical after the members of the Legislative Electoral College receive the said letters, the Legislative Electoral College shall elect seven members of the Board of Directors of the Authority. If the legislative delegation has a chairman, said chairman shall send written notice to the members of the Legislative Electoral College, other than himself, notifying them of the time and place of the meeting to be held for the purpose of electing the members of the Board of Directors to be elected by the Legislative Electoral College, which time shall be not less than six days subsequent to the date on which the Chairman of the Legislative Delegation transmits said written notice to the members of the Legislative Delegation belonging to the Legislative Electoral College. If the Legislative Delegation has no chairman, then the Senator of the senatorial district in which the County is situated shall give said written notice to the members of the legislative delegation. If there is more than one Senator from the County, then that Senator who has served the longest period in the Senate shall give the said notice; and if there is more than one Senator from the County and no Senator has seniority over the other Senator or Senators, then the oldest Senator shall give said notice. The Legislative Electoral College may elect the members of the Board of Directors to be elected by it either at the initial meeting held for that purpose or at some later meeting, provided, however, that if the election is at a later meeting, the time and place of such later meeting shall be fixed by a majority vote of the Legislative Electoral College at a meeting regularly called, or notice of the time and place of such later meeting shall be given in the manner herein prescribed for giving the notice of the initial meeting of the Legislative Electoral College. The election by the Legislative Electoral College shall be by a majority vote of the Senators present and a majority vote of the members of the House of Representatives present. To be elected as a member of the Board of Directors, a person must receive both the vote of a majority of the Senators present and also the vote of a majority of the House members present. Two members of the Board of Directors of the Authority elected by the Legislative Electoral College shall serve for a term of two years, two members of the Board of Directors of the Authority elected by the Legislative Electoral College shall serve for a term of three years, and three members of the Board of Directors of the Authority elected by the Legislature Electoral College shall serve for a term of four years, as fixed by the Legislative Electoral College, which terms shall commence from the October 1 closest to the date on which they are elected. In the event that seven members of the Board of Directors were not initially elected or the terms of office of such members are not fixed by the Legislative Electoral College, a meeting shall be called in the same manner as hereinabove provided to elect the required additional member or members and to fix the terms of office of all elected members.

The person who under the terms hereof is to give notice of meeting of the Legislative Electoral College shall notify the Mayor or chief executive officer of the largest municipality in the county and the President or Chairman of the governing body of the County whom the Legislative Electoral College elected to serve on the Board of Directors of the Authority.

When the Mayor or chief executive officer of the largest municipality in the county and the President or Chairman of the governing body of the County shall have been notified of the election of the members of the Board of Directors to be elected by the Legislative Electoral College, the said Mayor and the said President or Chairman shall by letter signed by them jointly notify the members of the Board of Directors elected by the Legislative Electoral College of the time and place of the first meeting of the Board of Directors of the Authority. The Board of Directors shall fix the time and place at which they shall meet for the purpose of electing a Chairman of the Board; and the said members shall give such notice as is deemed appropriate by them of the time and place of said meeting.

The Board of Directors shall elect a Chairman of the Board, and he shall serve as Chairman until his term as a member of the Board, which he is serving at the time of his election as Chairman, expires. The Chairman shall preside at all meetings of the Board of Directors and the Chairman shall have a vote the same as any other member of the Board of Directors.

No person shall be elected as a member of the Board of Directors of the Authority unless he is a qualified elector of the County. Not more than one member of the Board of Directors elected by the Legislative Electoral College or by the Directors shall hold any public office; provided that this restriction shall not apply to the first members so elected.

The members of the said Board of Directors shall serve without compensation except that they shall be reimbursed for actual expenses incurred in and about the performance of their duties hereunder.

In case a directorship held by an elected director becomes vacant during his term his successor shall be elected in the same manner in which he was elected. The successor shall be deemed to be elected for the remainder of the term during which the vacancy occurred; provided, however, that if a person is elected to any vacant directorship during the last six months of any term of such directorship, he shall be deemed elected for the remainder of such term and for the next succeeding term of such directorship. In the event the Legislative Electoral College shall fail for any reason to elect within sixty days after this Act, as amended, becomes applicable to the County the members of the Board of Directors, which this act provides said Electoral College shall elect, then in that event the two ex officio members of the Board (they being the Mayor or chief executive officer of the largest municipality in the county and the President or Chairman of the governing body of the County) and any other member or members of the Board of Directors theretofore elected shall elect such members of the Board of Directors to fill the directorship which the electoral college fails to fill. In the event a vacancy on the Board of Directors occurs which is to be filled by the Legislative Electoral College and the Legislative Electoral College fails for any reason to fill said vacancy within thirty days from the date of the occurrence of said vacancy, the remaining members of the Board of Directors shall elect a member of the Board to fill said vacancy."

Amend H. 819 by adding as the last paragraph of Section 5 as set forth in said H. 819, the following:

"No member of the Board of Directors shall be interested, directly or indirectly, in any contract for work, material or services, or the profits therefrom to be furnished or performed for the Authority if such member has, directly or indirectly more than a ten percent (10%) interest in any business, firm or corporation, or profits thereof, furnishing or providing such work, materials or services."

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 819 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Falkenburg	Lutz
Adams	Collins	Fite	McBride
Adwell	Connell	Flippo	McCluskey
Bank	Coshatt	Gafford	McDonald
Barkett	Cottingham	Goodwin	McMillan
Barron	Crawford	Grainger	McNair
Benton	Cross	Grey (D)	Manley
Boles	Crowe	Harris	Mathews
Boutwell	Culver	Headley	May
Brassell	Doss	Hill	Meeks
Burgess	Downing	Hobbie	Merrill
Callahan	Drake	Hughes	Mims
Carnes	Easters	Jackson	Naramore
Carter	Edwards	Jones (F)	Nettles
Casey	Ellis	King	Owens
Cauthen	Erdreich	Kinsey	Parker

REGULAR SESSION
30th Day

3833

Porter	Smith (K)	Taylor	Wallace
Reed (T)	Smith (P)	Therrell	Warren
Reynolds	Snell	Timmons	Williams
Roberts	Stewart	Turner	Wise
Robertson	Stokes	Waggoner	Wood
St. John	Stubbs	Waldrop	Wynot
Slate			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 785. To amend Section 3.07 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the House concurred in and adopted the Senate amendment to the bill, H. 785, said Senate amendment being as follows:

Amend the title of H. 785 by inserting in said title immediately after the words, "SECTION 3.07", the words, "AND SECTION 3.05".

Further amend said H. 785 by adding immediately after Section 1. the following:

"Section 2. That Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census, be and said Section 3.05 is hereby amended to read as follows:

Section 3.05. Compensation. The Council shall receive such salary which shall be effective on such date as the Council may by resolution or ordinance prescribe; provided, however, no Councilman, other than the President of the Council, shall receive a salary in excess of Sixty-Nine Hundred Dollars (\$6,900) per annum. The Council may provide by ordinance or resolution for the Office of the President of the Council compensation in addition to the compensation such President will be entitled to receive as a councilman, which additional compensation shall not exceed the additional amount of Twenty-Four Hundred Dollars (\$2,400) per annum, making the total maximum compensation which a member of the Council may receive while serving as President thereof Ninety-Three Hundred Dollars (\$9,300) per annum. Such salary shall be payable in monthly installments at the end of each month, said installments to be paid at the same rate for any portion of the month during which each such councilman shall hold office at the rate provided.

Section 3. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law."

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill:

H. 785. To amend Section 3.07 and Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

As thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Falkenburg	Lutz
Adams	Collins	Fite	McBride
Adwell	Connell	Flippo	McCluskey
Bank	Coshatt	Gafford	McDonald
Barkett	Cottingham	Goodwin	McMillan
Barron	Crawford	Grainger	McNair
Benton	Cross	Grey (D)	Manley
Boles	Crowe	Harris	Mathews
Boutwell	Culver	Headley	May
Brassell	Doss	Hill	Meeks
Burgess	Downing	Hobbie	Merrill
Callahan	Drake	Hughes	Mims
Carnes	Easters	Jackson	Naramore
Carter	Edwards	Jones (F)	Nettles
Casey	Ellis	King	Owens
Cauthen	Erdreich	Kinsey	Parker

REGULAR SESSION
30th Day

3835

Porter	Smith (K)	Taylor	Wallace
Reed (T)	Smith (P)	Therrell	Warren
Reynolds	Snell	Timmons	Williams
Roberts	Stewart	Turner	Wise
Robertson	Stokes	Waggoner	Wood
St. John	Stubbs	Waldrop	Wynot
Slate			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 787. To provide for the compensation to be paid the First Assistant Deputy District Attorney and the Second Assistant Deputy District Attorney in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census where the Deputy District Attorney is elected by the people and to provide for the payment of the same and to provide the date when said Act shall go into effect.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Boles, the House concurred in and adopted the Senate amendment to the bill, H. 787, said Senate amendment being as follows:

Amend Section 2 of House Bill 787 by deleting the words and figures "sixteen thousand four hundred (\$16,400.00)" and inserting in lieu thereof the following words and figures "thirteen thousand three hundred (\$13,300.00)".

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 787 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 868. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act To Authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The House concurred in and adopted the Senate amendment to the bill, H. 868, said Senate amendment being as follows:

Amend H. 868 by deleting in Section 1 thereof the words and figures "\$28,000 per annum" and substitute in lieu thereof the words and figures, "\$21,500 per annum".

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Brassell
Adams	Barkett	Boles	Burgess
Adwell	Barron	Boutwell	Callahan

REGULAR SESSION
30th Day

3837

Carnes	Falkenburg	McDonald	Slate
Carter	Fite	McMillan	Smith (K)
Casey	Flippo	McNair	Smith (P)
Cauthen	Gafford	Manley	Snell
Chesnut	Goodwin	Mathews	Stewart
Collins	Grainger	May	Stokes
Connell	Grey (D)	Meeks	Stubbs
Coshatt	Harris	Merrill	Taylor
Cottingham	Headley	Mims	Therrell
Crawford	Hill	Naramore	Timmons
Cross	Hobbie	Nettles	Turner
Crowe	Hughes	Owens	Waggoner
Culver	Jackson	Parker	Waldrop
Doss	Jones (F)	Porter	Wallace
Downing	King	Reed (T)	Warren
Drake	Kinsey	Reynolds	Williams
Easters	Lutz	Roberts	Wise
Edwards	McBride	Robertson	Wood
Ellis	McCluskey	St. John	Wynot
Erdreich			

—89

And the bill, H. 868 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 993. To fix the compensation or salary of the Sheriff of all counties having a population of six hundred thousand (600,000) or more accord-

ing to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Timmons, the House concurred in and adopted the Senate amendment to the bill, H. 993, said Senate amendment being as follows:

Amend Section 1 of House Bill 993 by deleting the rods and figures "twenty four thousand dollars (\$24,000.00)" and inserting in lieu thereof the following words and figures "twenty three thousand one hundred eighty dollars (\$23,180.00)".

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 993 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Brassell	Connell	Drake
Adams	Burgess	Coshatt	Easters
Adwell	Callahan	Cottingham	Edwards
Bank	Carnes	Crawford	Ellis
Barkett	Carter	Cross	Erdreich
Barron	Casey	Crowe	Falkenburg
Benton	Cauthen	Culver	Fite
Boles	Chesnut	Doss	Flippo
Boutwell	Collins	Downing	Gafford

REGULAR SESSION
30th Day

3839

Goodwin	McCluskey	Parker	Stubbs
Grainger	McDonald	Porter	Taylor
Grey (D)	McMillan	Reed (T)	Therrell
Harris	McNair	Reynolds	Timmons
Headley	Manley	Roberts	Turner
Hill	Mathews	Robertson	Waggoner
Hobbie	May	St. John	Waldrop
Hughes	Meeks	Slate	Wallace
Jackson	Merrill	Smith (K)	Warren
Jones (F)	Mims	Smith (P)	Williams
King	Naramore	Snell	Wise
Kinsey	Nettles	Stewart	Wood
Lutz	Owens	Stokes	Wynot
McBride			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1053. To fix the compensation or salary of the Judges of the Court of General Sessions of Jefferson County and to regulate the payment of salaries of said Judges.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Falkenburg, the House concurred in and adopted the Senate amendment to the bill, H. 1053, said Senate amendment being as follows:

Amend Section 1 of House Bill 1053 by deleting the words and figures "nineteen thousand and 00/100 dollars (\$19,000.00)" and inserting in lieu thereof the following words and figures "eighteen thousand three hundred dollars (\$18,300.00)".

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Collins	Flippo	McDonald
Adams	Connell	Gafford	McMillan
Adwell	Coshatt	Goodwin	McNair
Bank	Cottingham	Grainger	Manley
Barkett	Crawford	Grey (D)	Mathews
Barron	Cross	Harris	May
Benton	Crowe	Headley	Meeks
Boles	Culver	Hill	Merrill
Boutwell	Doss	Hobbie	Mims
Brassell	Downing	Hughes	Naramore
Burgess	Drake	Jackson	Nettles
Callahan	Easters	Jones (F)	Owens
Carnes	Edwards	King	Parker
Carter	Ellis	Kinsey	Porter
Casey	Erdreich	Lutz	Reed (T)
Cauthen	Falkenburg	McBride	Reynolds
Chesnut	Fite	McCluskey	Roberts

Robertson	Stewart	Timmons	Warren
St. John	Stokes	Turner	Williams
Slate	Stubbs	Waggoner	Wise
Smith (K)	Taylor	Waldrop	Wood
Smith (P)	Therrell	Wallace	Wynot
Snell			

—89

And the bill, H. 1053 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 997. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to authorize the county transit authority provided for by said Act to provide charter service within the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the House concurred in the Senate amendment to the bill, H. 997, said Senate amendment being as follows:

Amend H. B. 997 by deleting the period at the end of subsection (9) of Section 8 and substitute in lieu thereof the following:

REGULAR SESSION
30th Day

3841

“, subject to the regulations and approval of the Alabama Public Service Commission.”

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 997 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1083. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Adwell, the House concurred in and adopted the Senate amendment to the bill, H. 1083, said Senate amendment being as follows:

Amend Section 1 of House Bill 1083 by deleting the words and figures "thirty two thousand dollars (\$32,000.00)" and "thirty one thousand dollars (\$31,000.00)" and inserting in lieu thereof the following words and figures "twenty eight thousand one hundred dollars (\$28,100.00)" and "twenty seven thousand one hundred dollars (\$27,100.00)".

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 1083 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Brassell
Adams	Barkett	Boles	Burgess
Adwell	Barron	Boutwell	Callahan

REGULAR SESSION
30th Day

3843

Carnes	Falkenburg	McDonald	Slate
Carter	Fite	McMillan	Smith (K)
Casey	Flippo	McNair	Smith (P)
Cauthen	Gafford	Manley	Snell
Chesnut	Goodwin	Mathews	Stewart
Collins	Grainger	May	Stokes
Connell	Grey (D)	Meeks	Stubbs
Coshatt	Harris	Merrill	Taylor
Cottingham	Headley	Mims	Therrell
Crawford	Hill	Naramore	Timmons
Cross	Hobbie	Nettles	Turner
Crowe	Hughes	Owens	Waggoner
Culver	Jackson	Parker	Waldrop
Doss	Jones (F)	Porter	Wallace
Downing	King	Reed (T)	Warren
Drake	Kinsey	Reynolds	Williams
Easters	Lutz	Roberts	Wise
Edwards	McBride	Robertson	Wood
Ellis	McCluskey	St. John	Wynot
Erdreich			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1633. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Crowe, the House concurred in and adopted the Senate amendment to the bill, H. 1633, said Senate amendment being as follows:

Amend House Bill 1633, Section 2, by deleting the last sentence of the first paragraph of said section and inserting in lieu thereof the following:

"The Assistant District Attorney shall receive \$12,500 per annum as total compensation for all duties, from the general funds of Walker County in equal bi-monthly installments, \$7,200 of which shall be paid from state funds in the same manner as other salaries are paid."

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Boles	Casey	Crawford
Adams	Boutwell	Cauthen	Cross
Adwell	Brassell	Chesnut	Crowe
Bank	Burgess	Collins	Culver
Barkett	Callahan	Connell	Doss
Barron	Carnes	Coshatt	Downing
Benton	Carter	Cottingham	Drake

Easters	Jackson	Mims	Stewart
Edwards	Jones (F)	Naramore	Stokes
Ellis	King	Nettles	Stubbs
Erdreich	Kinsey	Owens	Taylor
Falkenburg	Lutz	Parker	Therrell
Fite	McBride	Porter	Timmons
Flippo	McCluskey	Reed (T)	Turner
Gafford	McDonald	Reynolds	Waggoner
Goodwin	McMillan	Roberts	Waldrop
Grainger	McNair	Robertson	Wallace
Grey (D)	Manley	St. John	Warren
Harris	Mathews	Slate	Williams
Headley	May	Smith (K)	Wise
Hill	Meeks	Smith (P)	Wood
Hobbie	Merrill	Snell	Wynot
Hughes			

—89

And the bill, H. 1633 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1640. Relating to Walker County; creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

McDOWELL LEE,
Secretary.

REGULAR SESSION
30th Day

3845

SENATE MESSAGE

On motion of Mr. Crowe, the House concurred in and adopted the Senate amendment to the bill, H. 1640, said Senate amendment being as follows:

Amend House Bill 1640, Section 2, by deleting the last sentence of the first paragraph of said section and inserting in lieu thereof the following:

"The Assistant District Attorney shall receive \$12,500 per annum as total compensation for all duties, from the general funds of Walker County in equal bi-monthly installments, \$7,200 of which shall be paid from state funds in the same manner as other salaries are paid."

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill, H. 1640 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Casey	Easters	Hobbie
Adams	Cauthen	Edwards	Hughes
Adwell	Chesnut	Ellis	Jackson
Bank	Collins	Erdreich	Jones (F)
Barkett	Connell	Falkenburg	King
Barron	Coshatt	Fite	Kinsey
Benton	Cottingham	Flippo	Lutz
Boles	Crawford	Gafford	McBride
Boutwell	Cross	Goodwin	McCluskey
Brassell	Crowe	Grainger	McDonald
Burgess	Culver	Grey (D)	McMillan
Callahan	Doss	Harris	McNair
Carnes	Downing	Headley	Manley
Carter	Drake	Hill	Mathews

May	Reed (T)	Snell	Waggoner
Meeks	Reynolds	Stewart	Waldrop
Merrill	Roberts	Stokes	Wallace
Mims	Robertson	Stubbs	Warren
Namamore	St. John	Taylor	Williams
Nettles	Slate	Therrell	Wise
Owens	Smith (K)	Timmons	Wood
Parker	Smith (P)	Turner	Wynot
Porter			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1698. To amend Sections 2, 4, 6, and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Benton, the House concurred in and adopted the Senate amendment to the bill, H. 1698, said Senate amendment being as follows:

Amend H. B. No. 1698 as follows:

1. Amend title to include the figure "9" after the following: To amend Sections 2, 4, 6,

2. After Section 6 add the following:

"Section 9. (a) The fee collected by such court in each civil case shall be \$5.00."

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Callahan	Cross	Fite
Adams	Carnes	Crowe	Flippo
Adwell	Carter	Culver	Gafford
Bank	Casey	Doss	Goodwin
Barkett	Cauthen	Downing	Grainger
Barron	Chesnut	Drake	Grey (D)
Benton	Collins	Easters	Harris
Boles	Connell	Edwards	Headley
Boutwell	Coshatt	Ellis	Hill
Brassell	Cottingham	Erdreich	Hobbie
Burgess	Crawford	Falkenburg	Hughes

REGULAR SESSION
30th Day

3847

Jackson	May	Roberts	Therrell
Jones (F)	Meeks	Robertson	Timmons
King	Merrill	St. John	Turner
Kinsey	Mims	Slate	Waggoner
Lutz	Naramore	Smith (K)	Waldrop
McBride	Nettles	Smith (P)	Wallace
McCluskey	Owens	Snell	Warren
McDonald	Parker	Stewart	Williams
McMillan	Porter	Stokes	Wise
McNair	Reed (T)	Stubbs	Wood
Manley	Reynolds	Taylor	Wynot
Mathews			

—89

And the bill:

H. 1698. To amend Sections 2, 4, 6, 9, and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

As thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1442. To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$3.00 per person residing in municipalities having a population of more than 5,000 and not less than \$1.50 per person residing in municipalities having a population of less than 5,000.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Timmons, the House concurred in and adopted the Senate amendment to the bill, H. 1442, said Senate amendment being as follows:

Amend Section 4 of H. B. 1442 by deleting the words "on or before" and substitute in lieu thereof the words "and not more than thirty days after".

Amend H. B. 1442 by adding a new Section 5 and renumbering the present Section 5 as Section 6 and also renumber the remaining sections. Section 5 to read as follows:

"Section 5. If the Tax Collector does not have any ad valorem taxes due any municipality or the ad valorem taxes due any municipality is insufficient to pay the amount due under the formula set out in Section 3, then the balance due under the said formula shall be a priority claim (subject, however, to any claims having priority under or pursuant to any provision of the Alabama or United States Constitution), against any and all other funds of any such municipality and shall be paid by such municipality directly to the Board Treasurer."

Amend H. B. 1442 by deleting in Section 3(a) and 3(b) thereof the words, "not less than".

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

REGULAR SESSION
30th Day

3849

And the bill, H. 1442 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

UNANIMOUS CONSENT GRANTED

At the request of Mr. Hale, unanimous consent was granted for the Journal to show him voting "Yea" on all Senate amendments to Local Bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 447. To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provided for the inspection and the charging of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Adams, the House concurred in and adopted the Senate amendment to the bill, H. 447, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provides for the regulation, inspection and payment of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, is further amended to read as follows:

"Section 9. Inspection Fee. An inspection fee is hereby imposed and shall be collected in respect of petroleum products sold, offered for sale, stored or used in the State, the said fee to be measured by the number of gallons and to be at the following rates:

"(a) Gasoline: one-fortieth of one cent (1/40¢) per gallon,

"(b) Diesel fuel other than that referred to in clauses (e), (f), (g), (h), and (i) of this Section: one cent 1¢ per gallon,

"(c) Kerosene other than that referred to in clauses (e), (f), (g) and (i) of this Section: one cent 1¢ per gallon,

"(d) Lubricating oil: fifteen cents (15¢) per gallon,

"(e) Kerosene or diesel fuel that are of the types customarily used as, and that are intended to be used only as, fuel to propel jet aircraft: one-fortieth of one cent (1/40¢) per gallon,

"(f) Kerosene or diesel fuel that is used by the ultimate consumer thereof as motor fuel to operate boats, yachts, ships or other maritime vehicles, whether said boats, yachts, ships or other maritime vehicles are used commercially or for pleasure: one-fortieth of one cent (1/40¢) per gallon,

"(g) Kerosene or diesel fuel used by the ultimate consumer thereof to propel or operate tractors which are not operated on public highways but which are used exclusively in preparing and cultivating land, harvesting any agricultural commodity, or for other agricultural purposes, including pasture and hay production; provided, however, that the term 'tractors' as used herein shall not include automobiles, trucks, pick-ups, trailers, semi-trailers, or other such vehicles: one-fortieth of one cent (1/40¢) per gallon,

"(h) Diesel fuel that is of the types customarily used as, and that is intended to be used only as fuel to propel railroad locomotives: one-fortieth of one cent (1/40¢) per gallon. Diesel fuel of the types referred to in this clause (h) shall be inspected in a manner determined and prescribed by the Commissioner.

"(i) Kerosene or diesel fuel used by the ultimate consumer thereof as a solvent or other agent in the treatment or preservation of wood products: one-fortieth of one cent (1/40¢) per gallon.

"(j) It shall be the duty of the person first selling or storing or using any petroleum product in the state to pay said inspection fee. The inspection fee herein provided for shall be paid to the Commissioner on or before the 20th day of each month in respect of all petroleum products sold, stored or used in the state during the preceding month, and each remittance shall be accompanied by a certificate stating that the amount remitted is correct and that the petroleum products so sold, stored or used are of standard not less than the minimum specified for that petroleum product in the standards prescribed by the board pursuant to Section 5 hereof. If, at the time the said inspection fee is due, the person liable therefor is unable to ascertain the correct amount of such inspection fee because the use to be made of any diesel fuel or kerosene with respect to which the said inspection fee is then due has not been or cannot be ascertained at such time, then such person shall pay to the Commissioner as the inspection fee payable with respect to such diesel fuel and kerosene, one cent (1¢) for each gallon of such diesel fuel and each gallon of such kerosene. Upon furnishing proof satisfactory to the Commissioner that all or any portion of such diesel fuel or kerosene with respect to which an inspection fee at the rate of one cent (1¢) per gallon has been paid or has been or will be used for a purpose or purposes specified in clauses (e), (f), (g), (h) and (i) above, then such person shall be entitled to a credit against the amount of inspection fee becoming due from such person on the 20th day of the then next following calendar month, such credit to be in an amount equal to thirty-nine-fortieths of one cent (39/40¢) for each gallon of kerosene or diesel fuel proved to have been used or to be used for such specified purpose or purposes; provided, that should the credit to which a person is entitled hereunder exceed the amount of the inspection fee becoming due from such person on the 20th day of the then next following calendar month, then the excess of the credit over the amount of the inspection fee becoming due shall be refunded to such person, or, at such person's election, credited against the amount of any inspection fees subsequently becoming due from such person. The board shall have authority to promulgate rules and regulations with respect to the form and content of the proof of use which must be supplied by a person seeking such a credit or refund and with respect to the procedure to be followed in applying for such a credit or refund. The inspection fee herein provided for shall be paid but once with respect to the same product, but in the event any person fails to make payment as herein provided on or before the date such payment is due, the Commissioner shall add to the inspection fee already due an amount equal to 10% thereof as a penalty for the failure of such person to make such report and payment upon the date herein provided and shall proceed to collect such inspection fee, together with all costs incident to such collection, including the penalty. The inspection fee (and any penalty added thereto) shall constitute and operate as a lien, at all times until paid, upon any petroleum products sold or offered for sale or stored or used in the state by the person liable for the fee, and shall be immediately enforceable by the Commissioner when due in the same manner as are tax liens upon personal property of a delinquent taxpayer. The inspection fee provided for herein is in addition to all other fees and all taxes payable with respect to petroleum products. Notwithstanding anything to the contrary herein, no inspection fee or penalty shall be due or payable with respect to petroleum products which are sold or offered for sale or stored or used while they are in interstate or international commerce, but if after such petroleum products are removed from interstate or international commerce, such petroleum products are sold or offered for sale or stored or used in the state, the fee herein provided for shall be payable with

respect to such petroleum products. It is further provided that the board shall have authority to adopt and promulgate reasonable rules and regulations to effectuate the evident intent and purpose of this section with respect to reporting, collection, remittance and payments of the petroleum products inspection fees imposed hereunder which shall not conflict with any of the express provisions and requirements of said section."

Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective on October 1, 1973.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Doss	Kinsey	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Brassell	Falkenburg	Manley	Stubbs
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—89

And the bill:

H. 447. To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provides for the regulation, inspection and payment of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

As thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Barron	Burgess	Cauthen
Adams	Benton	Callahan	Chesnut
Adwell	Boles	Carnes	Collins
Bank	Boutwell	Carter	Connell
Barkett	Brassell	Casey	Coshatt

REGULAR SESSION

3853

30th Day

Cottingham	Grey (D)	Mathews	Smith (P)
Crawford	Harris	May	Snell
Cross	Headley	Meeks	Stewart
Crowe	Hill	Merrill	Stokes
Culver	Hobbie	Mims	Stubbs
Doss	Hughes	Naramore	Taylor
Downing	Jackson	Nettles	Therrell
Drake	Jones (F)	Owens	Timmons
Easters	King	Parker	Turner
Edwards	Kinsey	Porter	Waggoner
Ellis	Lutz	Reed (T)	Waldrop
Erdreich	McBride	Reynolds	Wallace
Falkenburg	McCluskey	Roberts	Warren
Fite	McDonald	Robertson	Williams
Flippo	McMillan	St. John	Wise
Gafford	McNair	Slate	Wood
Goodwin	Manley	Smith (K)	Wynot
Grainger			

—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 577. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a revocable temporary permit to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; to provide for the automatic termination of permits granted hereunder; and to repeal all laws or parts of laws which conflict with the provisions of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Erdreich moved that the House concur in and adopt the Senate amendment to the bill, H. 577, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature, or to any licensed retailer in any county in which such a civic center is located, a revocable permit to sell or dispense draft or keg beer or malt beverages.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Alcoholic Beverage Control Board may in its discretion grant to any civic center authority to which the Board may have theretofore issued or may simultaneously therewith issue a civic center liquor

license under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a revocable temporary permit entitling such civic center authority to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; and the Board may revoke any such temporary permit so granted if, in the judgment of the Board, such sale or dispensing of draft or keg beer or malt beverages is prejudicial to the welfare, health, peace and safety of the people of the community wherein the civic center is located or of the State.

Section 2. The Alabama Alcoholic Beverage Control Board may, in its discretion, grant permits to licensed retailers to sell or dispense draft or keg beer or malt beverages, the provisions of Code of Alabama 1940, Title 29, Section 34 to the contrary notwithstanding, anywhere within any county wherein said Board is authorized to issue to a civic center authority a liquor license which includes the authority to sell or dispense draft or keg beer or malt beverages as set forth in Section 1 above.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SUBSTITUTE MOTION TABLED

On motion of Mr. Erdreich, the substitute motion offered by Mr. Gafford that the House non-concur in the Senate amendment to the bill, H. 577, said Senate amendment being set out in the above and foregoing Message from the Senate, was tabled.

Yeas 23; Nays 6.

Yeas:

Messrs.:	Drake	Headley	Meeks
Adwell	Ellis	McBride	Nettles
Bank	Erdreich	McDonald	Parker
Barkett	Falkenburg	McMillan	St. John
Brassell	Hale	McNair	Stubbs
Carnes	Harris	Manley	Waggoner

—23

Nays:

Messrs.:	Bowers	Fite	Snell
Boutwell	Crawford	Reynolds	

—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REGULAR SESSION
30th Day

3855

AMENDMENT ADOPTED

The question was then on the motion offered by Mr. Erdreich that the House concur in and adopt the Senate amendment to the bill, H. 577, said Senate amendment being set out in the above and foregoing Message from the Senate, and the motion was adopted.

Yeas 23; Nays 6.

Yeas:

Messrs.:	Ellis	Hill	Meeks
Adwell	Erdreich	Lutz	Nettles
Bank	Falkenburg	McBride	Parker
Barkett	Grainger	McMillan	Snell
Carnes	Hale	McNair	Stubbs
Connell	Harris	Manley	Waggoner

—23

Nays:

Messrs.:	Bowers	Fite	Reynolds
Boutwell	Doss	Gafford	

—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 577:

To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature, or to any licensed retailer in any county in which such a civic center is located, a revocable permit to sell or dispense draft or keg beer or malt beverages.

As thus amended, was again read at length and passed.

Yeas 29; Nays 6.

Yeas:

Messrs.:	Ellis	King	Nettles
Adwell	Erdreich	Lutz	Parker
Barkett	Falkenburg	McBride	Roberts
Boutwell	Grainger	McMillan	Snell
Brassell	Hale	McNair	Stubbs
Carnes	Harris	Manley	Waggoner
Culver	Headley	Meeks	Waldrop
Downing	Hill		

—29

Nays:

Messrs.:	Bowers	Fite	Reynolds
Boles	Doss	Gafford	

—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 331. To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the House concurred in and adopted the Senate amendment to the bill, H. 331, said Senate amendment being as follows:

Amend the H. B. 331 by striking the whole of Section 1, (2), (c), and inserting in lieu thereof the following:

“(c) To the State Mental Health Department:

For operation and maintenance of the State Mental Health Department including the purchase of drugs to medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals,

For the fiscal year ending September 30, 1974	34,077,488.00
---	---------------

For the fiscal year ending September 30, 1975	33,966,919.00
---	---------------

For operation and maintenance of the State Mental Health Department, conditional upon funds being made available from conditional appropriations from the State General Fund to the Special Mental Health Fund.

For the fiscal year ending September 30, 1974	2,000,000.00
---	--------------

For the fiscal year ending September 30, 1975	4,000,000.00
---	--------------

Provided, however, that none of the appropriations herein-

REGULAR SESSION
30th Day

3857

above made may be used to pay rent for office space in any new building in Montgomery County except for any office building which may be built under the supervision of the State Building Commission.

For operation and maintenance of Community Mental Health Programs:

For the fiscal year ending September 30, 1974	4,000,000.00
For the fiscal year ending September 30, 1975	5,000,000.00"

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Downing	Hobbie	Porter
Adwell	Drake	Hughes	Reed (T)
Bank	Easters	Jackson	Roberts
Barkett	Edwards	King	Robertson
Boles	Ellis	Lutz	Slate
Boutwell	Erdreich	McBride	Smith (P)
Carnes	Falkenburg	McCluskey	Stewart
Carter	Fite	McMillan	Stokes
Casey	Gafford	McNair	Stubbs
Chesnut	Goodwin	Manley	Therrell
Cottingham	Grainger	Merrill	Turner
Crawford	Grey (D)	Naramore	Turnham
Cross	Hale	Nettles	Wallace
Crowe	Harris	O'Daniel	Warren
Culver	Headley	Owens	Wynot
Doss	Hill	Parker	

—63

And the bill, H. 331 as thus amended, was again read at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Fite	Lutz
Adams	Cottingham	Gafford	McBride
Adwell	Crawford	Goodwin	McCluskey
Bank	Cross	Grainger	McDonald
Barkett	Crowe	Grey (D)	McMillan
Benton	Culver	Hale	McNair
Boles	Doss	Harris	Manley
Boutwell	Downing	Headley	Merrill
Brassell	Drake	Hill	Mims
Carnes	Easters	Hobbie	Naramore
Carter	Edwards	Hughes	Nettles
Casey	Ellis	Jackson	O'Daniel
Cauthen	Erdreich	King	Owens
Chesnut	Falkenburg	Lang	Parker

Porter
Reed (T)
Reynolds
Roberts
Robertson
III

Slate
Smith (P)
Snell
Stewart
Stokes

Stubbs
Therrell
Turner
Turnham
Waldrop

Wallace
Warren
Williams
Wood
Wynot

—76

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1024. To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews, the House concurred in and adopted the Senate amendment to the bill, H. 1024, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, in addition to all other appropriations out of the General Fund in the State Treasury for the fiscal year ending September 30, 1973 the following:

Section 2.

(a) For transfer to the Department of Agriculture and Industries	12,264.00
(b) For transfer to the Agricultural Center Board	1,938.00
(c) For transfer to the Board of Corrections	150,000.00
(d) Oil and Gas Board: For other salaries	7,996.00
(e) Geological Survey: For other salaries	8,723.00
(f) Court of Civil Appeals: For other salaries	3,427.00
(g) Board of Pardon and Paroles: For other salaries	15,804.00

**REGULAR SESSION
30th Day**

3859

(h) Departmental	Emergency	
Fund		100,000.00
(i) Governor's	Emergency Fund	125,000.00
(j) Finance Department:		
Division of Service:		
Other Expenses		30,000.00
(k) Department of Archives and		
History:		
For other salaries		3,981.00
(l) Office of the Attorney General:		
For salaries and other expenses		55,700.00

**FROM FUNDS OTHER THAN THE
GENERAL FUND:**

(m) Department of Agriculture		
and Industries:		
For other salaries		12,264.00
The above appropriation in		
sub-section (m) shall be		
paid out of the Agricultural		
Fund.		
(n) Agriculture Center Board:		
For other salaries		1,938.00
The above appropriation in		
sub-section (n) shall be		
paid out of the Agricultural		
Center Board Fund.		
(o) Board of Corrections:		
For other salaries		150,000.00
The above appropriation in		
sub-section (o) shall be		
paid out of the Board of		
Corrections Fund.		

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Carnes	Doss	Hale
Adams	Carter	Downing	Harris
Adwell	Casey	Easters	Headley
Bank	Cauthen	Edwards	Hill
Barkett	Chesnut	Ellis	Hobbie
Benton	Coshatt	Falkenburg	Hughes
Boles	Cottingham	Fite	Jackson
Boutwell	Crawford	Flippo	King
Brassell	Cross	Goodwin	Kinsey
Burgess	Crowe	Grainger	Lang
Callahan	Culver	Grey (D)	Lutz

30th Day

McBride	Mims	Roberts	Therrell
McCluskey	Nettles	Robertson	Timmons
McDonald	O'Daniel	Slate	Turner
McMillan	Owens	Smith (K)	Turnham
McNair	Parker	Smith (P)	Wallace
Manley	Porter	Snell	Warren
Mathews	Reed (T)	Stewart	Williams
May	Reid (R)	Stokes	Wood
Meeks	Reynolds	Stubbs	Wynot
Merrill			

—81

And the bill, H. 1024 as thus amended, was again read at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	Roberts
Adams	Easters	Lang	Robertson
Adwell	Edwards	Lutz	St. John
Barkett	Ellis	McBride	Slate
Boles	Erdreich	McCluskey	Smith (K)
Boutwell	Falkenburg	McDonald	Smith (P)
Brassell	Fite	McMillan	Snell
Burgess	Flippo	Manley	Stewart
Callahan	Gafford	Mathews	Stokes
Carnes	Goodwin	May	Stubbs
Carter	Grainger	Meeks	Therrell
Casey	Grey (D)	Merrill	Timmons
Cauthen	Hale	Mims	Turner
Chesnut	Harris	Nettles	Turnham
Coshatt	Headley	O'Daniel	Waldrop
Cottingham	Hill	Owens	Wallace
Crawford	Hobbie	Porter	Warren
Cross	Hughes	Reed (T)	Williams
Crowe	Jackson	Reid (R)	Wood
Culver	King	Reynolds	Wynot
Doss			

—81

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 977. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turner, the House concurred in and adopted the Senate amendment to the bill, H. 977, said Senate amendment being as follows:

REGULAR SESSION

3861

30th Day

In Section 1 of the bill strike in its entirety the lines appearing in Section 17, Paragraph 5, Title 51, Code of Alabama 1940, as amended, which reads as follows:

"Crenshaw	30%	15%	15%
Franklin	35%	15%	15%
Lawrence	35%	15%	15%
Winston	35%	15%	15%
Marion	35%	15%	15% "

In Section 1 of the bill strike in its entirety the lines appearing in Section 17, paragraph 5, Title 51, Code of Alabama 1940, as amended, which reads as follows:

Fayette	30	15	15
Lamar	30	15	15
Pickens	30	15	15
Greene	30	15	15

AMENDMENT TO H. B. 977.

Amend H. B. 977 by adding to Section 5 the following: Calhoun, 30%, 25%, 15%

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Culver	Lang	Reynolds
Adams	Doss	Lutz	Roberts
Adwell	Downing	McBride	Robertson
Bank	Edwards	McCluskey	St. John
Barkett	Ellis	McDonald	Slate
Boles	Erdreich	McMillan	Smith (K)
Boutwell	Falkenburg	McNair	Smith (P)
Brassell	Flippo	Manley	Snell
Burgess	Gafford	Mathews	Stewart
Callahan	Goodwin	May	Stokes
Carnes	Grainger	Merrill	Stubbs
Carter	Grey (D)	Mims	Therrell
Casey	Hale	Nettles	Timmons
Cauthen	Harris	O'Daniel	Turnham
Chesnut	Headley	Owens	Waldrop
Connell	Hill	Parker	Wallace
Coshatt	Hobbie	Porter	Warren
Crawford	Hughes	Reed (T)	Williams
Cross	Jackson	Reid (R)	Wynot
Crowe	King		

---78

And the bill, H. 977 as thus amended, was again read at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Boles	Callahan	Cauthen
Adwell	Boutwell	Carnes	Chesnut
Bank	Brassell	Carter	Connell
Barkett	Burgess	Casey	Coshatt

Cottingham	Hale	Mathews	Slate
Crawford	Harris	May	Smith (K)
Cross	Headley	Meeks	Smith (P)
Crowe	Hill	Merrill	Snell
Culver	Hobbie	Mims	Stewart
Doss	Hughes	Nettles	Stokes
Downing	Jackson	O'Daniel	Stubbs
Edwards	King	Owens	Therrell
Ellis	Lang	Parker	Timmons
Erdreich	Lutz	Porter	Turner
Falkenburg	McBride	Reed (T)	Turnham
Flippo	McCluskey	Reid (R)	Waldrop
Gafford	McDonald	Reynolds	Wallace
Goodwin	McMillan	Roberts	Warren
Grainger	McNair	Robertson	Williams
Grey (D)	Manley	St. John	Wynot

—80

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Littleton:

S. 634. Relating to counties having a population of not less than 23,934 nor more than 24,460: To regulate further the allowances, fees, deputies, equipment and maintenance of the Sheriff's Department.

Also:

By Mr. Baker:

S. 761. To provide an additional expense allowance for the Circuit Judges of the Ninth Judicial Circuit.

Also:

By Mr. Baker:

S. 762. To provide for an additional expense allowance for the District Attorney of the Ninth Judicial Circuit.

Also:

By Mr. Baker:

S. 763. To provide an expense allowance for the District Attorney of the Thirty-eighth Judicial Circuit.

Also:

By Mr. Baker:

S. 764. To provide for an expense allowance for the Circuit Judge of the Thirty-eighth Judicial Circuit.

Also:

By Mr. Pelham:

S. 705. To fix the salary of the Tax Assessor of Mobile County and to regulate the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

Synopsis: This bill has the effect of increasing the salary of the Mobile County Tax Assessor to be comparable to other offices with like responsibilities of the same degree of responsibility as involved in the Mobile County Tax Assessor's Office.

To fix the salary of the Tax Assessor of Mobile County and to regulate the payments thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Tax Assessor of Mobile County shall be compensated on a salary basis. He shall be paid a salary of twenty-two thousand five hundred dollars per annum. Such salary shall be paid in the same manner and at the same time as salaries are paid to employees of that office.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall take effect at the commencement of the term of office of the Tax Assessor of Mobile County which begins next after the passage and approval of this act.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 5, 12, 19, and 26, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me July 30, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Baker:

S. 704. Relating to DeKalb County; fixing the salaries of Judge of Probate Court, Circuit Clerk, Tax Assessor, Tax Collector and Judge of Inferior Court, and to provide payment of such salaries; and providing for a referendum thereon.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dekalb County; fixing the salaries of Judge of Probate Court, Circuit Clerk, Tax Assessor, Tax Collector and Judge of Inferior Court, and to provide payment of such salaries; and providing for a referendum thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Dekalb County shall receive the following salaries:

Judge of Probate Court—\$12,000 per annum.

Circuit Clerk—\$9,600 per annum.

Tax Assessor—\$9,600 per annum.

Tax Collector—\$9,600 per annum.

Judge of Inferior Court—\$8,400 per annum.

Such salaries shall be in lieu of all other compensation heretofore provided by law, and shall be paid in equal monthly installments out of the general fund of the county.

Section 2. The provisions of this act shall become operative only if approved by a majority of the electors of DeKalb County who vote thereon in a referendum to be held on the same day on which the special election is held on constitutional amendments proposed by the 1973 Session of the Legislature. The governing body of Dekalb County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act. No. _____ of the 1973 Regular Session of the Legislature, approved the _____ day of _____, 1973, which fixes the salaries of the following officers of Dekalb County: Judge of Probate Court, Circuit Clerk, Tax Assessor, Tax Collector and Judge of Inferior Court, be adopted Yes (), No ()." If a majority of the votes cast in the election are "Yes," then the provisions of this act shall become operative on October 1, 1974. If the majority are "No" this

act shall have no further effect. The results of the election shall be certified by the probate judge to the Secretary of State, who shall make a permanent record thereof.

Section 3. The provisions of this act are severable, If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, this day personally appeared Dr. Marvin L. Barron, DMD who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, 12, 19, and 26, all in the year 1973.

MARVIN L. BARRON, DMD,
Publisher.

Sworn to and subscribed before me this 26th day of July, 1973.

JOHN M. BAKER,
Notary Public.

My commission expires: July 28, 1975.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 634 Local Legislation No. 1.
- S. 761 Local Legislation No. 1.
- S. 762 Local Legislation No. 1.
- S. 763 Local Legislation No. 1.
- S. 764 Local Legislation No. 1.
- S. 705 Local Legislation No. 3.
- S. 704 Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. King:

S. 694. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction or otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Also:

By Mr. Dominick:

S. 752. Relating to judicial circuits with more than 15 judges, further providing for the appointment of court reporters.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 694 Local Legislation No. 2.

S. 752 Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Baker:

S. 832. Relating to all counties having populations of not less than 38,100 nor more than 40,500; abolishing the office of county solicitor or deputy district attorney in such counties.

Also:

By Mr. Baker:

S. 833. To provide additional compensation for each official court reporter of the Thirty-eighth Judicial Circuit.

Also:

By Mr. Baker:

S. 834. To establish in the Thirty-eighth Judicial Circuit the office of clerk-secretary to each circuit judge of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the county comprising the Thirty-eighth Judicial Circuit.

**REGULAR SESSION
30th Day**

3867

Also:

By Mr. Baker:

S. 835. Relating to all counties having populations of not less than 38,100 nor more than 40,500, authorizing the respective governing bodies of such counties to designate and set up certain projects relating to construction of roads and bridges therein.

Also:

By Mr. Baker:

S. 836. To amend Act 249, S. 171, Regular Session 1973, which provides additional compensation for the official court reporters of the ninth judicial circuit, so as to change the method of payment.

Also:

By Mr. Owen:

S. 837. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide for clerk hire for the tax assessor and tax collector of such county.

Also:

By Mr. Owen:

S. 838. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the probate judge of such county.

Also:

By Mr. Owen:

S. 839. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the members of the governing body of such county.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 832. Local Legislation No. 1.
- S. 833. Local Legislation No. 1.
- S. 834. Local Legislation No. 1.
- S. 835. Local Legislation No. 1.
- S. 836. Local Legislation No. 1.
- S. 837. Local Legislation No. 1.
- S. 838. Local Legislation No. 1.
- S. 839. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Register:

S. 686. To amend Act No. 1405, S. 1058, Regular Session 1971 (Acts 1971, p. 2373), which act provides for levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; provides for the administration of the act and the collection and the distribution of the proceeds of the tax; and prescribes penalties for violation, in counties having a population of not less than 52,500 nor more than 54,000.

By Mr. Register:

S. 826. Relating to Dale County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes and for the collection of delinquent privilege license fees under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor, tax collector and license inspector in Dale County, providing for the duties of the office of license inspector of Dale County temporarily to be performed by the tax collector of Dale County and thereafter to be performed by the county revenue commissioner created by this Act; repealing conflicting laws; and prescribing the effective date of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to Dale County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes and for the collection of delinquent privilege license fees under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor, tax collector and license inspector in Dale County; repealing conflicting laws; and prescribing the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. On and after the first Monday after the second Tuesday in January, 1975, there shall be a county revenue commissioner in Dale County subject to approval of the Dale County voters in a referendum election. Such commissioner shall be elected in the November, 1974 general election and every four years thereafter in such general elections and shall serve for a term of office of four years from the first Monday after the second Tuesday in January next succeeding his election, and shall serve until his successor is similarly elected, qualified and takes office.

Section 2. The county revenue commission shall do and perform all acts, duties, and functions required by law to be performed either by the tax assessor or by the tax collector of the county relative to the assessment of property for ad valorem taxation, the collection of such taxes, the keeping of records and the making of reports concerning assessments for and the collection of taxes. He shall also do and perform all acts, duties, and functions required by law of the license inspector of Dale County relative to the collection of delinquent privilege license taxes.

Section 3. Subject to the approval of the county commission or other like governing body of the county, the county revenue commissioner shall appoint and fix the duties and compensation of a sufficient number of deputies, clerks, and assistants to perform properly the duties of his office. The acts of deputies shall have the same force and legal effect as if performed by the county revenue commissioner himself.

Section 4. Before entering upon the duties of his office the county revenue commissioner shall take the oath of office prescribed by Article XVI of the Constitution of Alabama, and execute a bond in such sum as may be fixed by the county commission or like governing body of the county, giving as security thereon a bonding company authorized to do business in Alabama. The bond shall be conditioned as other official bonds are conditioned and shall be approved by and filed with the judge of probate. The cost of the bond required herein shall be paid out of the general funds of the county on warrant of the county commission or other like governing body of the county, and shall be a preferred claim against the county.

Section 5. The county commission or other like governing body of the county shall provide the necessary offices for the county revenue commissioner in the courthouse, and shall provide all stationery, equipment, and office supplies, not otherwise furnished by law, needed for the efficient performance of the duties of the office.

Section 6. The county revenue commissioner shall collect and pay into the general fund of the county all fees percentages, commissions and other allowances which the tax assessor, the tax collector or the license inspector of the county are now or hereafter by law authorized or directed to charge of collect for the performance of any duty imposed by law on any such officers and hereby transferred to and imposed on the county revenue commissioner. As compensation for the performance of the duties of his office the county revenue commissioner shall receive an annual salary of \$15,000.00 payable in equal monthly installments out of the general fund of the county.

Section 7. The offices of tax assessor, tax collector and license inspector of Dale County are hereby abolished effective on the first Monday after the second Tuesday in January, 1975.

Section 8. It is the purpose of this Act to conserve revenue and promote the public convenience in Dale County by consolidation the offices of tax assessor, tax collector and license inspector of such county into one county office.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. The provisions of this act shall become operative in Dale County only if they are first approved by a majority of the qualified electors of said county who vote thereon in a referendum election. Said referendum shall be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature at which time the question submitted shall be:

Shall Act No. _____ of the _____ Session of the Legislature (here insert the number of this Act) which provides for the abolition of the offices of tax assessor, tax collector and license inspector of Dale County and the consolidation of the duties of these three offices into the one office to be known as the county commissioner of revenue, be approved? _____ Yes. _____ No.

If a majority of the votes cast at such election are "Yes" votes, then this Act shall become effective as provided above. If a majority of the votes cast are "No" votes, this Act shall have no further force or effect. The referendum election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution. Notice of the election to be given by the county commissioners of Dale County. Such notice shall be published once a week for three successive weeks before the day of the election. The judge of probate shall also certify the result of the election of the Secretary of State immediately after the returns have been certified.

Section 12. This Act shall become effective immediately upon its passage and approved by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, 18, 25, and August 1, all in the year 1973.

JOSEPH H. ADAMS.

Sworn to and subscribed before me August 1, 1973.

IRENE MATHIS,
Notary Public.

Also:

By Mr. Register:

S. 827. Relating to the minimum compensation of deputy sheriffs in Dale County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
DALE COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the minimum compensation of deputy sheriffs in Dale County.

Be It Enacted by the Legislature of Dale County:

Section 1. The county commission of Dale County shall provide for the compensation of all deputy sheriffs employed by the sheriff of Dale County. Such compensation shall be paid by the county out of any funds in the county treasury not otherwise appropriated. The compensation of the deputy sheriffs shall be set at a figure not less than \$5,000 per year. The salary of the deputy sheriffs may exceed the \$5,000, at the discretion of the Dale County Commission.

Section 2. All laws or parts of laws which conflict with this Act whether general, special or local are hereby repealed and this Act shall be the sole basis for compensation of deputy sheriffs in Dale Co., provided however, that the provisions of this Act shall not abrogate any statute providing for expense allowance of deputy sheriffs in Dale County.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, 18, 25, and August 1, all in the year 1973.

JOSEPH H. ADAMS.

Sworn to and subscribed before me August 1, 1973.

IRENE MATHIS,
Notary Public.

Also:

By Mr. Register:

S. 828. Relating to Dale County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Dale County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA DALE COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage an enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Dale County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other authority now vested in the Dale County Commission, the said Dale County Commission shall set the necessary policies and priorities for the construction, maintenance and repair of all public roads, county highways, bridges, ferries and public facilities within Dale County, Alabama, to insure the people of Dale County with a safe and adequate road system. It shall be the further duty of each associate member of the commission to inspect the roads of his district from time to time, and hear the suggestions and complaints of the citizens, and report the same to the commission with his recommendations; to advise with the county engineer concerning the problems of his district, particularly; and to assist in securing rights-of-ways, and assist in public service generally. It shall be the duty of the county engineer to provide the necessary equipment and personnel to respond to any request of an emergency nature made by an associate member of the Dale County Commission or any citizen in the absence of a commissioner wherever and whenever an emergency shall arise in Dale County.

Section 2. The Dale County Commission or any succeeding county governing body performing the functions of the county governing body in said county, shall appoint and employ a county engineer, who shall be a thor-

oughly qualified and competent professional engineer not required to be a land surveyor, but otherwise possessing all of the qualifications as specified for county engineers under the general laws of the State of Alabama; and he shall devote his entire time and attention to the maintenance and construction of the Dale County public roads, highways, bridges, ferries, and other county engineering projects and shall, during his employment reside in Dale County, Alabama. The said county engineer shall serve at the pleasure of the Dale County Commission.

Section 3. It shall be the duty of the said county engineer, in accordance with policy established by the Dale County Commission, within the law of the State of Alabama, (1) to employ, supervise and direct all such assistants as are necessary to properly maintain and construct the public roads, highways, bridges and ferries of Dale County, and he shall have authority to prescribe their duties, and to discharge said employees for cause; (2) to perform such engineering service and surveying as may be required; (3) to maintain the necessary accounting records to reflect the cost of the county highway system; (4) in accordance with the policies and priorities established by the Dale County Commission, to build or construct new roads, or change old roads; (5) it shall be his further duty, insofar as is feasible, to construct and maintain all county roads on the basis of the county as a unit, without regard to any district or beat lines.

Section 4. It shall be the duty of the commission to fix, from time to time, in accordance with prevailing economic conditions, the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, bridges, ferries, and public facilities and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistants.

Section 5. The commission shall fix the amount of the salary of the said county engineer, payable in equal monthly installments from appropriate road and highway funds.

Section 6. Before entering upon his duties, the said county engineer shall make and enter into a surety bond in the amount of five thousand dollars (\$5,000.00), payable to Dale County, conditioned for the faithful discharge and performance of his duties as such engineer, and for the faithful accounting of all monies or property of said county, which may come into his possession or custody. Said bonds shall be executed by a surety company authorized and qualified to do business in Alabama, and be approved by the commission. The premiums thereon shall be paid by the county.

Section 7. The commission shall furnish the county engineer with an office within the county and all necessary office supplies, equipment, communication utilities and with necessary transportation to accomplish his duties under this Act.

Section 8. The county engineer shall be the custodian of all road machinery and equipment, tools, supplies and repair parts, owned by Dale County and he shall be accountable to the Dale County Commission for the same at all times. The Dale County Commission shall establish necessary policy and regulations governing accountability and relief therefrom. The commission shall furnish the necessary storage and repair facilities for said tools, machinery, supplies and equipment, and the county engineer shall keep on file in his office at all times, an up-to-date inventory containing a list of all said tools, machinery, equipment and supplies belonging to Dale County.

Section 9. The authority of said county engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repairs of public roads, bridges, ferries, or any other duties for Dale County as may be set aside and appropriated by the commission as hereinafter provided; it shall be the duty of said commission at some meeting in September of each calendar year or not later than the first meeting in October following, by order or resolution spread upon the minutes, to fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads, bridges and ferries of Dale County for the current fiscal year, beginning on October 1st, which said amount, other than the salary of said county engineer and his necessary expenses, shall not be exceeded by him in building, maintaining and constructing public roads, bridges and ferries in Dale County during said period; provided however, that said commission is authorized, from time to time within any such period, to increase the amount so allowed to be expended by said county engineer during the said period when such authorization will not conflict with provisions of the general laws of The State of Alabama. Provided further, that if such funds are presently available, and have not heretofore been set aside by the present Dale County Commission, immediately upon the passage and approval of this Act, it shall be the duty of the commission to set aside a sufficient portion of said funds for the maintenance of said roads, bridges, and ferries until the meeting in September or October, 1973, as hereinabove provided for.

Section 10. The county engineer shall make written requisition to the County Purchasing Agent for all materials, machinery, equipment, and necessary supplies needed for the construction, maintenance, or repair of the public roads, bridges and ferries of Dale County. Such requisitions shall be filed and presented by the chairman to the commission at its next meeting, for the approval of the commission. Provided, however, that the County Purchasing Agent shall have full power and authority to make said purchases without first obtaining the approval of the Dale County Commission if the delay caused by the hereinabove procedure, might, in his judgment, cause an unnecessary and harmful interruption in the operation of the county road system, providing said purchases are made in accordance with prevailing law. The County Purchasing Agent shall be solely responsible and accountable for purchasing the materials, machinery, equipment, and supplies under the approved requisitions, and shall report monthly to the Dale County Commission.

Section 11. It shall be the further duty of the county engineer to inspect all materials, machinery, equipment, and supplies, purchased by Dale County for use on public roads, bridges, and ferries, when the same is delivered, and the same shall neither be accepted nor paid for without it's first having been approved by him and any deviation shall be reported by the engineer to the Dale County Commission.

Section 12. In the event an emergency should arise, in which it would be impossible for the commission to employ an engineer, as hereinabove provided for, then, in that event, the commission shall employ a competent road supervisor who need not be an engineer, but, when so employed, he shall have all the duties and authority of said engineer, and be subject to the provisions of this Act; but an emergency shall not exist longer than necessary to employ a qualified engineer who will accept employment by said commission under the terms of this Act, it being the intention of this Act to provide that, when county roads, bridges and ferries are to be maintained or constructed in said county, the supervision thereof shall be under a qualified engineer.

REGULAR SESSION
30th Day

3875

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, 18, 25, and August 1, all in the year 1973.

JOSEPH H. ADAMS.

Sworn to and subscribed before me August 1, 1973.

IRENE MATHIS,
Notary Public.

Also:

By Mr. Register:

S. 829. To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
DALE COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be established a personnel appeals board for Dale County.

Section 2. For all the purposes of this act the following words and phrases shall have the following meanings:

"Personnel appeals board" hereinafter called the board, shall mean the board created by this Act.

"County" shall mean Dale County.

"Employee" shall mean any person regularly employed by any such county in a job or position.

"County commission" shall mean the existing county governing body of any county to which this Act applies or any such succeeding county governing body for such county.

Section 3. The board of appeals, created pursuant to this Act, shall by rule specify the employees and personnel of the county who shall be subject to the provisions of this Act and also those who are exempt from it; and such board shall see that a copy of such rule or rules is always posted in a conspicuous place at the courthouse of the county and a copy thereof kept at the office of the board for public inspection.

Section 4. No person to whom this Act applies, shall be appointed or promoted to, or demoted or dismissed from any job or position with the county, or in any way favored or discriminated against with respect to his employment because of his political or religious opinions or affiliations. No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated to secure employment, promotion, increase in pay or any other advantages in employment with the county for the purpose of influencing the vote or political action of any person or for any consideration. No employee of the county shall, directly or indirectly, pay or promise to pay any assessment for any political organization or purpose, or solicit or take any part in soliciting any such assessment, and no person shall solicit or take any part in soliciting any such assessment, and no person shall solicit any such assessment of such employee of the county. No such employee shall be a member of any national state, or local committee of a political party, or an officer of a partisan political club, or a candidate for nomination or election to any public office, or shall take any part in the management or affairs of any political party or in any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote. Provided, however, nothing in this Act shall prohibit any person employed by the county from serving out the term of a party office for which he had been elected at the time this Act becomes effective. Any employee of the county to whom this Act applies who violates the provisions of this section shall forfeit his position.

Section 5. Any employee who, for any cause, has been dismissed, suspended, demoted or whose pay has been reduced, may, not less than 7 days and not more than 14 days thereafter, apply to the personnel appeals board of the county for a hearing on the charges made against him leading to such disciplinary action, by filing a written petition, sworn to by proper affidavit, and addressed to the personnel appeals board, with the clerk of said board. Upon the filing of such a petition the chairman of the personnel appeals board shall fix a date not less than 7 nor more than 21 days thereafter for the

hearing of said petition. Upon the hearing of said petition the board shall receive all evidence in support of the disciplinary action heretofore mentioned and any evidence offered by such employee against such disciplinary action or in support of his petition for leniency under the circumstances. Said board shall render a written decision covering the issue involved not later than 7 days following the conclusion of the hearing. The decision of the board may uphold the disciplinary action or the board may modify such action in any manner it deems to be just and proper, including the full reinstatement of the petitioning employee with all pay and allowances from the date of the imposition of discipline.

Section 6. The personnel appeals board shall designate a clerk of said board. The person designated as the clerk may be an employee of the county in some other capacity. The county governing body of any county to which this Act applies is authorized to employ and to provide for the compensation of such additional clerks to assist the said clerk as it may deem necessary for the administration of this Act.

Section 7. The personnel appeals board of any county to which this Act applies shall be composed of five members. One member shall be appointed by the county commission, one by the judge or the presiding judge if there are more than one judge in the circuit in which such county lies, one by the judge of any statutory inferior court in such county, if there is such court in the county, one by the judge of probate, and one shall be elected by the county employees who will be subject to the provisions of this Act. One of the members originally so appointed shall serve for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years and one for a term of six years. The original members of the board so appointed shall draw lots to determine the length of term each shall serve. Thereafter all members shall serve for terms of six years each, and until their respective successors are appointed as specified above. Any member of the board whose term shall expire shall be eligible for reappointment.

No person shall be appointed to the personnel appeals board unless he is of recognized good character and ability, and is an actual resident in and qualified elector of the county. No person shall be eligible to appointment or shall continue to be a member of a board created under this Act who holds an elective office under the state, county, or any city therein, or who is a candidate for elective office. Vacancies on the board shall be filled for the unexpired terms in the same manner as original appointments are made. The board shall elect a chairman from among its members, who shall preside at its meetings. Three members shall constitute a quorum for the transaction of any business which may properly come before the board. Each person so appointed shall, within fifteen days after appointment, qualify by making oath that he will faithfully execute the duties of office to the best of his ability and knowledge, which oath shall be recorded as provided by law. The board shall adopt reasonable rules regulating the procedure of the board. Notice of all meetings of the board shall be given to each member by the clerk of the board.

Section 8. The personnel appeals board shall meet on the call of the chairman or upon call of three members of said board. Such meetings shall be held in the county courthouse in an office which the county commission shall provide. Each member of the personnel appeals board shall be entitled to receive ten dollars for each day actually served in transacting the business

of the board. Such compensation shall be payable from such funds as the county commission prescribes.

Section 9. The personnel appeals board shall prescribe in writing such rules and policies as are necessary for the administration of this Act. Such rules and policies shall specifically designate, among other things, the chain of command to whom each employee is directly responsible.

Section 10. The personnel appeals board may at its discretion contract with the personnel board of the State of Alabama or any other organization to perform such studies of wages, job descriptions and other studies necessary for the performance of the board's duties. The cost of such studies will be paid from such funds in the county treasury as the county commission designates; and the payment of all such costs shall be subject to approval of the county commission.

Section 11. The personnel appeals board will review the administration of this Act and prior to the first day of each regular legislative session report to the county's legislative delegation and to the county commission suggesting any needed revisions of this Act.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. All laws or parts of laws which conflict with this Act are repealed.

Section 14. This Act shall become effective January 1, 1974.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, 18, 25, and August 1, all in the year 1973.

JOSEPH H. ADAMS.

Sworn to and subscribed before me August 1, 1973.

IRENE MATHIS,
Notary Public.

Also:

By Mr. Dozier:

S. 772. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Also:

By Mr. Dozier:

S. 773. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900):

Also:

By Mr. Owen:

S. 777. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing an additional expense allowance for the county solicitor of such counties.

Also:

By Mr. Owen:

S. 778. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing for an additional clerk hire allowance for the offices of probate court within such counties.

Also:

By Mr. O'Bannon:

S. 787. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and to provide the means and manner for the payment of the same, so as to provide further for such compensation.

Also:

By Mr. Malone:

S. 790. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; setting the compensation of supernumerary probate judges and providing for a supplement from the general funds of such counties under certain circumstances.

Also:

By Mr. Malone:

S. 798. To amend Sections 2 and 3 of Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084) so as to provide for the designation of State Planning and Development Districts and the establishment of Regional Planning and Development Commissions in counties having a population between 93,000 and 100,000 persons, according to the most recent federal decennial census; and further defines the duties and authority of regional planning commissions in said counties.

Also:

By Mr. Melton:

S. 792. Relating to Conecuh County; to provide further for deputies for the sheriff.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECHUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County; to provide further for deputies for the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. In lieu of any and all other deputies provided for by law, the sheriff of Conecuh County shall be entitled to employ a chief deputy who shall be paid out of the proceeds of Public Highway and Traffic Fund and any other fund as authorized by the county commission, and one regular deputy who shall be paid for in accordance with existing law.

Section 2. The county commission may authorize such additional deputies as it deems necessary.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECHUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

R. G. BOZEMAN, JR.,

Sworn to and subscribed before me August 2, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

Also:

By Mr. Melton:

S. 793. To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

REGULAR SESSION
30th Day

3881

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Conecuh County is authorized to provide an additional clerk hire allowance of \$300.00 per month to the county judge of probate to be used for clerical assistance in the office of the judge of probate. This clerk hire allowance shall be payable out of the general fund of the county and shall be in addition to any other allowance for clerical assistance now provided.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

R. G. BOZEMAN, JR.,

Sworn to and subscribed before me July 12, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

Also:

By Mr. Horne:

S. 801. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and es-

established the Court of Common Pleas of Le County, by amending said Act to provide for a Small Claims Division of that Court.

With notice and proof thereto attached and herewith exhibited as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To amend futher Act. No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Be It Enacted by the Legislature of Alabama:

Section 1. JURISDICTION.

There is hereby established a Small Claims Division of the Court of Common Pleas of Lee County. This division of this Court shall be presided over by the Judge of said Court. The Small Claims Division of said Court shall be responsible for the disposition of all claims in amounts not exceeding \$250.00. The judge or clerk or his deputy shall be authorized to issue summons and complaints, and all appropriate writs to commence a suit, and in addition to issue process of garnishment, writs of detinue and attachment, after judgement, or as provided by law.

Section 2. SERVICE OF PROCESS.

Personal service of process shall be executed by any lawful officer or constable, and the fees and mileage provided by law for service of process in the circuit courts shall be charged and paid to said constable. Service of any process in the Small Claims Division is effected on the person to be served by delivering to him a copy thereof with a copy of the complaint or other initial pleading, or by leaving such copies at either his usual place of abode or place of employment with some person of the family above 15 years of age or in charge of such place of employment, and in either event informing such person of their contents. In the alternative, process may be made by certified mail, addressed to the defendant's proper mailing address. In the event the defendant shows to the satisfaction of the Court that he was not properly served and did not know of the existence of such suit before judgment was entered against him, and also shows to the satisfaction of the Court that he has a good defense to the claim, in whole or in part, the Court shall set aside any judgment by default and allow the defendant to interpose his defense; but, it shall not be necessary to reserve the defendant. After service of process has been executed and perfected on the defendant was required by law, the defendant shall appear and answer thereto within five days, and the process shall so recite.

Section 3. COURT COSTS.

The filing fee for claims of amounts not exceeding \$50.00 shall be \$5.00. The filing fee for claims for amounts not exceeding \$100.00 shall be \$10.00. The filing fee for claims for amounts in excess of \$100.00 shall be \$15.00. Such filing fees shall be paid in advance by the plaintiff and reimbursed to him if collected from the defendant. No other costs or charges ex-

cept for service of process shall be accessed the plaintiff or claimant in the Small Claims Division; but costs for other papers or writs filed shall be set by a schedule of costs to be fixed by the Judge.

Section 4. PROCEDURES AND FORMS.

The procedures and forms of the Small Claims Division shall be prescribed by the Judge of the Court, and the Clerk or his deputy shall assist the plaintiff in the preparation thereof upon request. The Clerk shall have authority to enter judgments by default, and by consent of the parties to hear and decide controversies and cases in the small claims division; but any party may request that his case be tried before the Judge of the Court of Common Pleas.

5. COMPENSATION.

The county governing shall have authority to compensate the Judge and Clerk for the additional duties imposed upon them, respectively by this Act.

Section 6. SEVERABILITY.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. EFFECTIVE DATE.

This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
LEE COUNTY

Before me, the undersigned authority in and for said county in said state, this day personally appeared Millard B. Grimes, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was Publisher of the Opelika-Auburn Daily News, a newspaper of general circulation, published in Lee County, State of Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 16, 23, 30, and August 6, all in the year 1973.

MILLARD B. GRIMES,
Publisher.

Sworn to and subscribed before me on this the 7th day of August, 1973.

C. C. FINNEY, JR.,
Notary Public.

My Commission Expires August 10, 1974.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 686 Local Legislation No. 1.

- S. 826. Local Legislation No. 1.
- S. 827. Local Legislation No. 1.
- S. 828. Local Legislation No. 1.
- S. 829. Local Legislation No. 1.
- S. 772. Local Legislation No. 1.
- S. 773. Local Legislation No. 1.
- S. 777. Local Legislation No. 1.
- S. 778. Local Legislation No. 1.
- S. 787. Local Legislation No. 1.
- S. 790. Local Legislation No. 1.
- S. 798. Local Legislation No. 1.
- S. 792. Local Legislation No. 1.
- S. 793. Local Legislation No. 1.
- S. 801. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelby:

S. 810. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators for the Public Defender Office and setting the maximum annual compensation therefor.

Also:

By Mr. Lindsey:

S. 818. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

Also:

By Mr. Lindsey:

S. 821. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

Also:

By Mr. O'Bannon:

S. 822. Relating to all counties having populations of not less than

16,350 nor more than 16,650, providing an allowance for secretarial assistance for the register in equity under certain conditions.

Also:

By Mr. Malone:

S. 831. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; providing for the creation, establishment, operation, management and purchase of equipment of and for an animal shelter in such counties and for the appointment of a humane officer and necessary assistants.

Also:

By Mr. O'Bannon:

S. 848. To provide for supplementing the salary or compensation paid to retired or supernumerary Circuit Judge having more than eighteen (18) years continuous service in office, as a Circuit Judge in the 31st Judicial Circuit of Alabama, consisting of Colbert County, and to provide an office in the Courthouse for such Judge.

Also:

By Mr. Shelby:

S. 803. Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

SYNOPSIS: This bill proposes a constitutional amendment relative to the authorization for the levy and collection of a special property tax and for the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas and other recreational purposes.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the constitution is proposed and shall become valid as a part thereof when approved by the qualified electors and proclaimed by the Governor as prescribed by law:

PROPOSED AMENDMENT

"The county commission or like governing body of Tuscaloosa County shall have the power to levy and collect a special property tax, in addition to all other taxes, now or hereafter authorized by the Constitution and laws of Alabama, of not exceeding 10 mills on each dollar's worth of taxable property in the county as assessed for state taxation during the preceding year, the proceeds of which shall be used exclusively for developing parks and multi-recreation areas and facilities, and for other recreational purposes; provided that such tax and the purpose or purposes thereof, and the time such tax is proposed to be continued shall have been first submitted to the vote of the qualified electors of the county and voted for by a majority of those voting at such election. Such governing body may also become indebted, and in evidence of such indebtedness issue and sell interest bearing bonds in an amount not to exceed \$20,000,000.00 in principal amount, provided that before the issuance of such bonds the question of whether such bonds shall be issued shall have first been submitted to and approved by the qualified electors of Tuscaloosa County at an election. Both the question of levying the tax and the issuing and selling of bonds may be submitted at the same election; or either question may be submitted at a separate election. Either the tax may be levied but no bonds issued, or bonds may be issued and no tax levied hereunder, if other funds are available for the payment of the bonds. The proceeds from taxes levied under authority of this amendment and of all bonds issued hereunder shall be used for developing parks and multi-recreation areas and facilities and for other recreational purposes and all or any part thereof may be appropriated to any county park and recreation authority duly organized and existing pursuant to law in such county and by such authority used for the above named purposes. The elections provided for herein shall be called, held, conducted and canvassed, and may be contested, in the manner provided by law for the calling, holding, conducting, canvassing and contesting of county bond elections, and if the levy of the tax or the issuance of said bonds shall be authorized at any such elections, the tax may be levied and bonds may be sold and issued from time to time in the manner provided by law for the authorization and sale of county bonds. In the event the voters of Tuscaloosa County do not authorize the levy of the tax or the issuance and sale of said bonds at any election called hereunder then other elections may be called by the governing body of Tuscaloosa County from time to time until the voters of Tuscaloosa County do authorize the levy of the tax or the issuance and sale of said bonds; provided that no two elections shall be held within one year of each other. The indebtedness herein authorized shall be in addition to all other indebtedness authorized prior to the adoption of this amendment."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appoint-

REGULAR SESSION
30th Day

3887

ed for the election in a newspaper in each county of the State. If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, 20, 27, and August 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 3, 1973.

LaJUNE BURNETT,
Notary Public.

Also:

By Mr. Shelby:

S. 804. To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission or like governing body of Tuscaloosa County shall order an election to be held in such county within one year from the effective date of this Act for the purpose of determining whether or not a special tax shall be levied in such county for the development of parks and multi-recreation areas and facilities in such county and also for the purpose of determining whether or not money shall be borrowed, bonds shall be issued and the proceeds of the tax shall be pledged to the payment thereof for such purposes.

Section 2. Notice of the election shall be published in some newspaper within the county, which publication shall show the rate of the proposed tax, the time it is proposed to be continued and the purpose or purposes for which the levy is proposed to be made. This notice shall also state the principal amount of the bonds it is proposed to issue.

Section 3. The inspectors and officers of the election shall be appointed and the election shall be held and the result of the election shall be declared in the same manner and by the same officers as is the result of the regular election for county officers under the general laws of the state.

Section 4. All persons who are at the time of the election qualified electors in Tuscaloosa County shall be qualified electors to participate in the election.

Section 5. The county commission or like governing body of Tuscaloosa County shall provide a sufficient number of ballots or voting machines for each voting precinct within said county. Each ballot shall show the rate of the proposed tax, the time it is to be continued, and an itemization of the purpose or purposes for which the tax is levied, and shall provide for a vote "for the proposed taxation," and a place for a vote "against proposed taxation." The ballot shall also contain the question. "Do you favor the issuance of bonds for the above-mentioned purposes in the principal amount of _____ dollars?" It shall also contain a place for a vote for and a vote against such bond issue.

Section 6. The officers, including the sheriff, shall perform the same duties, and receive the same pay as provided for under the general election laws aforesaid, and all costs and fees of said election shall be paid out of the county treasury of Tuscaloosa County.

Section 7. If a majority of the qualified electors voting at such election vote for the proposed taxation and for the proposed bond issue, the county commission or like governing body of Tuscaloosa County shall levy said special tax and cause the tax assessor to assess the same on the taxable property in Tuscaloosa County, and shall provide for the issuance and sale of such bonds in the manner prescribed by law for the issuance and sale of other county bonds.

Section 8. The tax collector of Tuscaloosa County shall collect such special tax in the same manner and under the same requirements and laws as taxes of the state are collected, and shall keep said amount separate and apart from all other funds and keep a clear and distinct account thereof. The county governing body may turn the proceeds of such tax over to any park and recreation authority heretofore established and existing pursuant to general law in Tuscaloosa County to be used for the purpose for which the tax was levied.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 11. The provisions of this Act shall become effective upon the ratification of an amendment to the Constitution of Alabama of 1901, proposed by an Act of the 1973 Regular Session, authorizing a special ad valorem tax and the issuance of bonds for park and recreational purposes in Tuscaloosa County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, 20, 27, and August 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 3, 1973.

LaJUNE BURNETT,
Notary Public.

Also:

By Mr. Littleton:

S. 807. To amend Section 1 of Act No. 37, H. 66 Organizational, Special and Regular Sessions 1971 (Acts 1971, p. 4170) as amended which applies in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 37, H. 66 Organizational Special and Regular Sessions 1971 (Acts 1971, p. 4170) as amended which applies in

Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 37, H. 66, Organizational Special and Regular Sessions 1971 (Acts 1971, p. 4170), as amended, be and the same is hereby deleted and there is substituted in lieu thereof, the following:

Section 1 (a) In lieu of any and all chief deputy sheriff, deputies sheriff, jailers or matrons heretofore authorized by law, the sheriff is hereby authorized to appoint not less than the following number of employees whose compensation shall be paid from the county treasury each month in the amounts listed below.

Number of Employees Authorized	Rank	Compensation
1	Chief Deputy	Shall be comparable to a Captain in Alabama State Highway Patrol.
1	Lieutenant	Shall be comparable to a Lieutenant in Alabama Highway Patrol.
8	Deputies	Shall be comparable to State Trooper in Alabama State Highway Patrol
3	Matrons	Shall be comparable to a Clerk Stenographer III in the Ala. Dept. of Public Safety
3	Jailers	Shall be comparable to State Troopers in Ala. State Hwy. Patrol
1	Chief	Shall be comparable to and not less than Ala. Hwy. Patrol Investigator Sgt., and not more than Ala. State Hwy. Patrol Investigator Capt. between said limitations, the sheriff shall fix said employee's salary.
1	Sergeant	Shall be comparable to a Sergeant in State Trooper in Alabama State Highway Patrol
4	Patrolmen	Shall be comparable to State Troopers in Alabama State Highway Patrol

Said one Chief Investigator's and one Sergeant's and 4 Patrolmen's salaries and other remuneration or benefits to said officers may be funded under the Law Enforcement Assistance Act so long as such funds are available, and when not available, said officers shall be paid out of the General Fund of Shelby County or out of any other fund from which the Shelby County Commission elects to pay said officers.

(b) The Chief Deputy, Lieutenant, Chief Investigator, and Sergeant shall begin employment under the provisions of this act in a grade not greater than grade 4 corresponding to the rank listed opposite said position.

REGULAR SESSION
30th Day

3891

All other personnel listed shall begin employment under the provision of this Act in the grade corresponding with the number of years experience in law enforcement.

Section 2. All laws or parts which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval, by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentined she was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

MARCIA SEARS.

Sworn to and subscribed before me August 3, 1973.

CONRAD M. FOWLER,
Probate Judge.

Also:

By Mr. Baker:

S. 809. To amend Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described," so as to correct certain discrepancies in the description of the boundary lines.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, Dekalb County Alabama so as to include within the corporate limits of said town all lands lying within the lands herein after

described," so as to correct certain discrepancies in the description of the boundary lines.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, Dekalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described," is amended to read:

"Section 1. That boundary lines of the Town of Fyffe, Dekalb County, Alabama, be, and the same are hereby altered or re-arranged so as to include within the corporate limits of said town all territory lying within the following described lands, lying in Dekalb County, Alabama, to-wit:

South half and Northwest fourth and Northwest fourth of Northeast fourth of Section 10; and

Southeast fourth of Southwest fourth and Northwest fourth and Northwest fourth of Northeast fourth of Section 3; and

Northeast fourth of Northeast fourth of Section 15; and

West half of Northwest fourth and Southeast fourth of Northwest fourth and North half of Southeast fourth of Section 14; and

All of Section 4; and

East half of Southeast fourth and Northwest fourth of Northwest fourth of Section 5; and

East half of Northeast fourth and Southwest fourth of Northeast fourth and Southeast fourth of Northwest fourth and East half of Southeast fourth and Southwest fourth of Southeast fourth of Section 8; and

West half of Northeast fourth and Southeast fourth of Northwest fourth and North half of Southwest fourth of Section 17; and

Southeast fourth of Southeast fourth of Section 18; and

All in Township 7, South of Range 7 East;

Also, East half of Southeast fourth of Section 33; and

Northeast fourth of Southwest fourth and Northwest fourth of Southeast fourth and South half of Southwest fourth and South half of Southeast fourth of Section 32; and

All in Township 6, South of Range 7 East."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, this day personally appeared Dr. Marvin L. Barron, DMD who, being by me first duly sworn, deposes and says that during the times herein mentioned, he

REGULAR SESSION
30th Day

3893

was publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1972.

MARVIN L. BARRON, DMD,
Publisher.

Sworn to and subscribed before me this 2nd day of August, 1973.

JOHN M. BAKER,
Notary Public.

My commission expires July 28, 1975.

Also:

By Mr. Shelby:

S. 812. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

Be It Enacted by the Legislature of Alabama:

Section 1. The number of appointed members of the Tuscaloosa City Board of Education is hereby increased from five to seven. The additional two members herein provided shall have the same tenure, appointment, duties, and shall be subject to all provisions for members of municipals boards of education as is provided in Title 52, Sections 151 and 152, Code of Alabama 1949, as amended.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, 20, 27, and August 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 3, 1973.

LaJUNE BURNETT,
Notary Public.

Also:

By Mr. Melton:

S. 815. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive

bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Wilcox County is hereby authorized to enter into contract for the purchase, lease or contractual services for providing data processing, computerized services or other modern or updated electronic based systems for bookkeeping recording, indexing and filing of all documents, instruments and writings that are of record in the office of the probate judge, tax assessor and tax collector of said county. Said commission may provide for the microfilming of all records, documents, files, papers or other writings which are required by law to be recorded in the office of the probate judge, tax assessor or tax collector and for such projective and reading equipment as may be necessary. Such microfilms or prints therefrom when duly authenticated by the said probate judge, tax assessor or tax collector, as the case may be, shall have the same force and effect at law as the original record or of copies thereof when made by any other legally authorized means, and may be offered in like manner, and shall be received in evidence in any court where such original record or copy thereof made by other legally authorized means, could have been received in court.

Section 2. The county commission shall provide for the services, equipment and supplies necessary to implement the provisions of Section 1 of this act by either lease or outright purchase or by contractual services, whichever in the discretion of the county commission is deemed to be in the best interest of the county. The probate judge of said county shall be authorized to select the type of services to be used and to recommend and approve all contracts therefor. Because of the specialized nature of such services, all contracts therefor may be made without regard to any applicable statewide or local competitive bid law.

Section 3. All funds necessary and incidental for the implementation of this act shall be paid out of the general fund of Wilcox County.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost

to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

M. HOLLIS CURL.

Sworn to and subscribed before me July 12, 1973.

GLEND A. CURL,
Notary Public.

Also:

By Mr. Melton:

S. 816. Applicable to Conecuh County; to provide that no claim presented to the Conecuh County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Applicable to Conecuh County; to provide that no claim presented to the Conecuh County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Be It Enacted by the Legislature of Alabama:

Section 1. No claim presented to the Conecuh County Commission under Code of Alabama 1940, Title 12, Section 110 or Title 12, Section 111, need be sworn to and no testimony need be presented as to whether any part of such claim has been previously paid as is required by Code of Alabama 1940, Title 12, Section 115, however, all such claims must be accurately and fully itemized.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me

REGULAR SESSION
30th Day

3897

first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Evergeen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1973.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me June 23, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

Also:

By Mr. Lindsey:

S. 820. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any foreign medical graduate residing within this state and wishing to practice medicine as a licensed physician in Choctaw County, who has met all other requirements with the exception of the Educational Counsel for Foreign Medical Graduates (ECFMG), now required by the State Board of Medical Examiners, shall have to alternate means by which to obtain a certificate. Such means shall be as follows:

(a) Said graduate may apply for and take the Federation Licensing Examination (FLEX), sponsored by the Federation of State Medical Boards of the United States. Upon making such application to the State Board of Medical Examiners, the said State Board of Medical Examiners must grant the application to said applicant. If the graduate scores a grade consistent with the requirements of the Licensing Board of the Federation of State Medical

Boards of the United States, then he must be licensed to practice medicine in this state.

(b) Said graduates may take the test known as the Educational Counsel for Foreign Medical Graduates (ECFMG), and if a passing score is achieved, then he must be allowed to take the Federation Licensing Examination as provided in subsection (a) above.

No rules or regulations promulgated by the State Medical Association or any of its subdivisions shall prevent such foreign graduates from selecting the above stated alternative he deems to be in his best interest.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. D. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Choctaw Advocate Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, Aug. 2, and Aug. 9, all in the year 1973.

NELL F. EZELL.

Sworn to and subscribed before me Aug. 8, 1973.

C. D. BOZEMAN,
Editor.

Also:

By Mr. Owen:

S. 825. To authorize the Baldwin County governing body to appoint a Baldwin County Historical Commission to prescribe the powers and duties of and grant funds to said commission.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

REGULAR SESSION
30th Day

3899

A BILL
TO BE ENTITLED
AN ACT

To authorize the Baldwin County governing body to appoint a Baldwin County Historical Commission to prescribe the powers and duties of and grant funds to said commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Baldwin County is hereby authorized to appoint a Baldwin County Historical Commission, which may consist of nine or less members. The governing body may grant to said commission such powers and funds as it is authorized to do under the law, for the effective operation of the commission.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

This is to certify that the attached legal notice appeared in The Fairhope Courier, a weekly newspaper published in the City of Fairhope, County of Baldwin, State of Alabama on the dates of July 12, 19, 26, and Aug. 2, 1973.

MICHAEL M. BREEDLOVE,
Editor.

STATE OF ALABAMA
COUNTY OF BALDWIN

Sworn to and subscribed before me this 6th day of August, 1973.

LINDA H. BREEDLOVE,
Notary Public.

My Commission expires Dec. 10, 1974.

Also:

By Mr. Malone:

S. 830. To amend Act No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324), which act creates the Etowah County Solid Waste and Park and Recreation Authority, so as to remove the state senator from Etowah County from membership of such Authority at the end of current term of office of said senator.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF ETOWAH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324), which act creates the Etowah County Solid Waste and Park and Recreation Authority, so as to remove the state senator from Etowah County from membership of such Authority at the end of current term of office of said senator.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324) is hereby amended to read as follows:

"Section 1. There is hereby created and established the Etowah County Solid Waste and Park and Recreation Authority, which shall be composed of the chairman of the Etowah County Commission or other like governing body, the Etowah County Health Officer, or his administrative assistant, and the state senator from Etowah County, provided that at the end of the present term of office of the state Senator from Etowah County said Senator shall cease to be a member of such Authority and shall be relieved of all duties thereto: provided further that the remaining members of the Authority shall select another member to replace the said state Senator upon the expiration of his term of office, and shall make said selection every four (4) years thereafter. The members of said Authority shall serve without compensation except that they shall be reimbursed for actual expenses incurred in the performance of their duties."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me August 6, 1973.

LEO DRISKELL,
Notary Public.

My Commission expires May 16, 1976.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 810. Local Legislation No. 1.
- S. 818. Local Legislation No. 1.
- S. 821. Local Legislation No. 1.
- S. 822. Local Legislation No. 1.
- S. 831. Local Legislation No. 1.
- S. 848. Local Legislation No. 1.

SENATE MESSAGE

The Senate bill, S. 803, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 804. Local Legislation No. 1.
- S. 807. Local Legislation No. 1.
- S. 809. Local Legislation No. 1.
- S. 812. Local Legislation No. 1.
- S. 815. Local Legislation No. 1.
- S. 816. Local Legislation No. 1.
- S. 820. Local Legislation No. 1.
- S. 825. Local Legislation No. 1.
- S. 830. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Melton and Baker:

S. 358. To fix the annual compensation of the chief justice of the supreme court, associate justices of the supreme court, judges of the courts of appeal, and circuit court judges.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing

Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 358. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Fine:

S. 789. To amend Act No. 487, S. 919, Regular Session 1971, relating to all counties having a population of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census, further providing for an expense allowance for members of the county board of education.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Baker:

S. 298. To amend Act No. 218 adopted at the 1967 Special Session of the Legislature respecting municipal public park and recreation boards, to exempt any corporation organized pursuant thereto from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, and from the laws of the State of Alabama requiring competitive bidding in connection with contracts, and to amend the definitions in the said act to include public restroom facilities, boats, rides and amusement facilities in the definition of "project" therein.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 789. Local Legislation No. 1.
S. 298. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Owen:

S. 670. To propose an amendment to the Constitution of the State of Alabama relative to the office of lieutenant governor.

McDOWELL LEE,
Secretary.

REGULAR SESSION
30th Day

3903

SENATE MESSAGE

The Senate bill, S. 670, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Constitution and Elections.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 860. To amend Section 3 of Act No. 169, H. 27, Regular Session 1945, (Acts 1945, p. 285), as last amended, which section sets the rates of the forest products severance tax, so as to provide for a privilege tax to be levied against the manufacturer or processor utilizing the forest products; and to provide the manner of levying privilege tax.

Also:

H. 251. To make an appropriation to the Department of Public Safety from the General fund of the State for certain communications system conversion requirements as recommended by the State Communications Master Plan.

Also:

H. 1025. To establish the capital and surplus required to form a domestic stock life insurance company.

Also:

H. 212. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

Also:

H. 803. To amend Sections 38, 39 and 51 of Title 18 of the Code of Alabama 1940, relating to electric cooperatives, so as to provide for the designation of a quorum at all meetings of the members, to provide for the board of trustees of the cooperative, and to provide for the encumbering of the property of the cooperative.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Bailes, Vacca, Hawkins, Gilmore, King, Dominick, Cook and Lybrand:

S. J. R. 86. MOURNING THE DEATH OF MERVYN HAYDEN STERNE.

McDOWELL LEE,
Secretary.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, S. J. R. 86, on the Clerk's desk for one legislative day.

SPECIAL ORDER RESUMED

And the bill:

H. 1171. To establish the Alabama Firefighters Personnel Standards and Education Commission; to provide for the appointment, tenure, qualifications, and payment of the members of the Commission; to provide for the employees and officers of the Commission; to regulate the meetings, quorum, and seal of the Commission; to prescribe the duties and functions of the Commission; to grant to the Commission the power to make rules, regulations, and standards, and for the publication of same; to provide penalties for the violation of this Act or the regulations of the Commission; to establish the Alabama Firefighters Personnel Standards and Education Fund and to provide for the Fund to accept grants, gifts, and other payments; to provide for cooperative agreements between firefighting agencies; to make biennial appropriation for the Fund for fiscal years 1973-74 and 1974-75; to provide for the severability of the parts of the Act; and to provide for the effective date of the Act.

Was taken up.

Mr. Manley offered the following amendment #1 to the bill:

Amend Section 8, H. B. 1171, by deleting sub-sections a, b, and d in their entirety and redesignating all other sections in proper order.

And the amendment was adopted.

Yeas 62; Nays 2.

Yeas:

Mr. Speaker	Downing	King	Roberts
Adwell	Drake	Kinsey	Robertson
Bank	Easters	Lang	Slate
Benton	Ellis	Lutz	Smith (K)
Boles	Erdreich	McDonald	Smith (P)
Callahan	Falkenburg	McMillan	Stewart
Carnes	Fite	McNair	Stokes
Carter	Flippo	May	Stubbs
Cauthen	Goodwin	Merrill	Therrell
Chesnut	Grainger	Naramore	Timmons
Coshatt	Hale	Nettles	Turner
Cottingham	Harris	Owens	Turnham
Cross	Headley	Parker	Warren
Crowe	Hill	Porter	Williams
Culver	Hughes	Reed (T)	Wise
Doss	Jackson		

—62

Nays: Messrs. McCluskey and Reynolds.

—2

REGULAR SESSION
30th Day

3905

Mr. Manley offered the following amendment #2 to the bill, H. 1171 as amended:

Amend H. B. 1171 by adding a new Section 9 as follows and renumbering all subsequent Sections:

Section 9. This Bill shall not apply to any Volunteer Fire Departments or the Department of any city, county or area which is partially paid and partially volunteer.

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reynolds
Adams	Doss	Jones (F)	Roberts
Adwell	Downing	King	Robertson
Bank	Drake	Kinsey	St. John
Barkett	Easters	Lang	Slate
Barron	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Snell
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	McMillan	Stubbs
Brassell	Fite	McNair	Therrell
Callahan	Flippo	May	Turner
Carnes	Goodwin	Merrill	Waldrop
Carter	Grainger	Naramore	Wallace
Cauthen	Hale	Owens	Warren
Chesnut	Hardin	Parker	Williams
Collins	Harris	Porter	Wise
Coshatt	Headley	Reed (T)	Wood
Cottingham	Hill	Reid (R)	Wynot
Cross	Hughes		

—74

Mr. Nettles offered the following amendment to the bill, H. 1171 as amended:

Amend Sction 8(e) by deleting therefrom the words "or a misdemeanor."

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Collins	Goodwin	McCluskey
Adwell	Coshatt	Grainger	McDonald
Bank	Cottingham	Hale	McMillan
Barkett	Cross	Hardin	McNair
Barron	Crowe	Headley	May
Benton	Culver	Hill	Merrill
Boles	Doss	Hughes	Naramore
Boutwell	Downing	Jackson	Nettles
Brassell	Drake	Jones (F)	Owens
Callahan	Easters	King	Parker
Carnes	Edwards	Kinsey	Porter
Carter	Ellis	Lang	Reed (T)
Cauthen	Falkenburg	Lutz	Reynolds
Chesnut	Fite	McBride	Roberts

Robertson
St. John
Smith (K)
StokesStubbs
Therrell
TurnerWaldrop
Wallace
WarrenWilliams
Wise
Wood

—69

And the bill, H. 1171 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 7.

Yeas:

Mr. Speaker
Adwell
Bank
Barron
Benton
Boles
Boutwell
Brassell
Burgess
Callahan
Carnes
Carter
Cauthen
Chesnut
Cross
Crowe
DowningDrake
Easters
Edwards
Ellis
Falkenburg
Fite
Flippo
Grainger
Grey (D)
Hardin
Harris
Headley
Hughes
Jackson
Jones (F)
King
KinseyLang
Lutz
McBride
McMillan
McNair
Manley
May
Merrill
Naramore
Nettles
Owens
Parker
Porter
Reed (T)
Reid (R)
Roberts
RobertsonSt. John
Smith (K)
Smith (P)
Snell
Stokes
Stubbs
Taylor
Therrell
Timmons
Waldrop
Wallace
Warren
Williams
Wise
Wood
Wynot

—67

Nays:

Messrs.:
BarkettConnell
GoodwinMcCluskey
McDonaldReynolds
Turner

—7

MOTION TO ADJOURN LOST

The motion offered by Mr. Crawford that the House adjourn until 2:00 o'clock p.m., Tuesday, August 21, 1973, was lost.

Yeas 39; Nays 47.

Yeas:

Mr. Speaker
Adwell
Bank
Barkett
Bassett
Benton
Boutwell
Brassell
Callahan
CauthenConnell
Cottingham
Crawford
Culver
Downing
Easters
Fite
Goodwin
Grey (D)
HardinHarris
Jackson
Kinsey
Lutz
McDonald
Mathews
May
Naramore
Perloff
Reid (R)Reynolds
St. John
Smith (K)
Stokes
Therrell
Williams
Wise
Wood
Wynot

—39

Nays:

Messrs.:
Adams
Barron
Boles
BurgessCarnes
Carter
Chesnut
Cross
DossDrake
Edwards
Ellis
Erdreich
FalkenburgFlippo
Grainger
Hale
Headley
Hill

REGULAR SESSION
30th Day

3907

Hobbie	McNair	Roberts	Taylor
Hughes	Manley	Robertson	Timmons
Jones (F)	Merrill	Slate	Turner
King	Nettles	Smith (P)	Waggoner
McBride	Owens	Snell	Waldrop
McCluskey	Parker	Stewart	Wallace
McMillan	Porter	Stubbs	Warren

—47

SPECIAL ORDER RESUMED

And the bill:

H. 1262. To create a Governor's Advisory Committee on Regional Planning and Development to advise the Governor and the Legislature on planning, service delivery, physical and human resource development and related matters within the sub-state planning and development districts; to provide for its membership; to require such committee to meet with the Governor semi-annually; to make an annual and semi-annual report to the Governor; provide for distribution of the annual report; to provide for the employees of the committee; and to provide for the funds for operation of such committee.

Was taken up.

Mr. Headley offered the following substitute for the bill:

A BILL
TO BE ENTITLED
AN ACT

To create a Governor's Advisory Committee on Regional Planning, Development and Service Delivery to advise the Governor and the Legislature on physical and human resource planning, development, delivery of social services, and related matters within the state and twelve sub-state planning and development districts designated by the Governor's Executive Order under Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084); to provide for its membership; to require such committee to meet with the Governor semi-annually; to make an annual and semi-annual report to the Governor; provide for distribution of the annual report; to provide for the employees of the committee; and to provide for the funds for operation of such committee.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a Governor's Advisory Committee on Regional Planning and Development to advise the Governor and Legislature on planning, service delivery, physical and human resource development and related matters within the State and within each of the twelve substate planning and development districts. The duties and activities of the Advisory Committee shall include the following: (1) review and recommend improved methods for the coordination of physical and human resource planning and social service delivery systems within multi-county councils of government, units of local government and the State as a whole; (2) provide information through various communication methods and techniques to create, or improve, linkage between planning and service delivery agencies in order to more effectively utilize resources available from Federal, State and Local resources; (3) review current methodology and develop improved procedures in

order to eliminate duplication of effort in human resource planning and delivery of social services; (4) develop uniform performance standards to monitor, evaluate, and measure the effectiveness of programs and services within the various service areas; (5) involve the private sector in planning and service delivery in order to utilize the vast resources available through private business and industry; (6) perform such other tasks as may be appropriate in carrying out the purposes and objectives of the committee.

The Governor will serve as ex officio Chairman of the Governor's Advisory Committee on Regional Planning, Development and Service Delivery. The Chairman shall be selected by the full membership. The Governor shall appoint a nominating committee to recommend a chairman and co-chairman to the full committee. They shall be elected by a majority of the full committee and shall serve for one full year. They may be re-elected for one additional year. The Executive Secretary shall serve as Secretary to the Committee.

Members of the Governor's Advisory Committee on Regional Planning, Development and Service Delivery shall consist of the following: Director Alabama Development Office, Director of Division of Planning, Director of Division of Industrial Development, Director of Appalachian Division, Director of State Department of Industrial Relations, Director of State Department of Pensions and Security, State Superintendent of Education, Chairman of Alabama Commission on Intergovernmental Cooperation, State Health Officer, State Mental Health Director, Director of State Department of Labor, Director of State Highway Department, Director of Departments, Regional ment of Veterans Affairs, Executive Directors of Councils of Local Governments, Regional Planning Commissions or comparable entities organized and incorporated within each of the twelve sub-state planning and development districts, Executive Director of State Association of County Commissions, Executive Director of Alabama League of Municipalities, Representatives of the following groups shall be appointed by the Governor and serve at his pleasure:

	Members
Industry	2
Organized Labor	2
Institutions of Higher Learning	2
Minority Groups	3
A representative from each of the twelve Planning and Development Districts to be selected from the staff or board of a Community Action Agency or Service Delivery Agency	12
Members at Large	3

The administration and business of the committee shall be conducted by an Executive Secretary who shall be appointed initially by the Governor with subsequent vacancies filled by the committee. The Governor shall fix the salary of the Executive Secretary at an amount between \$18,000 and \$22,000 annually. Such secretary shall be authorized to employ, subject to the merit system, such personnel as he deems necessary to carry out the duties and functions of the committee. All expenditures shall be subject to a budget prepared by the executive secretary and approved by the committee.

Section 2. The committee shall meet with the Governor at least once every six months during the state fiscal year. The Governor may call special meetings of the committee at such times as he deems necessary.

REGULAR SESSION
30th Day

3909

The committee shall prepare a semi-annual and annual report to the Governor. This report shall contain information related to problems existing within the twelve sub-state planning and development districts which impede effective planning, development and service delivery. It shall also contain information as to progress in these areas and recommend measures which may be taken to alleviate problems and related matters.

The distribution of the annual report to the Governor shall include copies to all members of the Alabama Senate and House of Representatives; Service Delivery Corporations; State, Area and Local Planning Agencies; and such other public or private agencies, institutions and associations as determined by the Committee. These may include, but not limited to: Chambers of Commerce, Industrial Development Boards, County and Municipal Governments, School Boards, League of Women Voters, Labor Organizations, Institutions of Higher Learning, etc.

The members of the Advisory Committee shall serve without compensation. However, they may be reimbursed actual expense for meals, lodging and travel for attendance at meetings or while on official business for the committee. Mileage for travel by private vehicle shall be reimbursed in accordance with state travel regulations.

Section 3. The activities of the Advisory Committee may be financed by appropriations from the State General Fund, Federal Grants or Revenue Sharing Funds which may be made available for that purpose. Expenditures may include travel, supplies, consultant services, salaries and other reasonable and necessary expenses for carrying out the duties and purposes of the committee.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Connell	Goodwin	Lutz
Adwell	Coshatt	Grainger	McBride
Barkett	Cottingham	Hale	McCluskey
Barron	Cross	Hardin	McDonald
Benton	Crowe	Harris	McMillan
Boles	Culver	Headley	McNair
Boutwell	Doss	Hill	Manley
Brassell	Downing	Hobbie	Mathews
Burgess	Drake	Hughes	May
Callahan	Easters	Jackson	Merrill
Carnes	Edwards	Jones (F)	Naramore
Carter	Ellis	King	Nettles
Casey	Erdreich	Kinsey	Owens
Chesnut	Flippo	Lang	Parker

Porter	Smith (P)	Taylor	Wallace
Reed (T)	Snell	Therrell	Warren
Roberts	Stewart	Turner	Williams
Robertson	Stokes	Turnham	Wood
St. John	Stubbs	Waldrop	Wynot
Smith (K)			

—77

And the bill, H. 1262:

H. 1262. To create a Governor's Advisory Committee on Regional Planning, Development and Service Delivery to advise the Governor and the Legislature on physical and human resource planning, development, delivery of social services, and related matters within the state and twelve sub-state planning and development districts designated by the Governor's Executive Order under Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084); to provide for its membership; to require such committee to meet with the Governor semi-annually; to make an annual and semi-annual report to the Governor; provide for distribution of the annual report; to provide for the employees of the committee; and to provide for the funds for operation of such committee.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Doss	King	Roberts
Adwell	Downing	Kinsey	Robertson
Barkett	Drake	Lang	St. John
Barron	Easters	Lutz	Smith (K)
Benton	Edwards	McBride	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stokes
Brassell	Fite	McNair	Stubbs
Burgess	Flippo	Manley	Taylor
Callahan	Goodwin	Mathews	Therrell
Carnes	Grainger	May	Timmons
Carter	Grey (D)	Merrill	Turner
Casey	Hale	Naramore	Turnham
Chesnut	Hardin	Nettles	Waldrop
Connell	Harris	Owens	Wallace
Coshatt	Headley	Parker	Warren
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (F)	Reynolds	Wynot
Culver			

—81

And the bill:

H. 1022. To establish a Community Service Agency within the Alabama Development Office; to authorize said agency to analyze the human service needs in all areas not specifically assigned to another state agency; to cooperate with other state agencies, regional planning and development commissions, local governing bodies, public and private non-profit corporations, and other private and public agencies in the development and implementation of a delivery system for human services; to authorize said agency to award

grants and contracts for the administration of human service programs, which may be funded from federal, state, regional, local and private sources.

Was taken up.

Mr. Hill offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To establish a Community Service Agency within the Executive Office of the Governor; to authorize said agency to analyze the human service needs in all areas not specifically assigned to another state agency; to cooperate with other state agencies, regional planning and development commissions, local governing bodies, public and private non-profit corporations, and other private and public agencies in the development and implementation of a delivery system for human services; to authorize said agency to award grants and contracts for the administration of human service programs, which may be funded from federal, state, regional, local and private sources.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created within the Executive Office of the Governor the Alabama Community Service Agency, which shall exercise powers and duties hereinafter prescribed within the area of human services, including all areas of human development, service delivery and social services coordination not specifically assigned to another state agency or department. The Community Service Agency, hereinafter referred to as CSA, shall be responsible for the development of a state plan for service delivery and for the coordination, implementation and evaluation of such a plan. The agency shall work in cooperation with other state agencies, regional planning and development commissions, local governing bodies, public and private non-profit corporations, and other private and public agencies, organizations and institutions in the development and implementation of a delivery system for human services.

Section 2. It shall be the responsibility of the CSA:

(1) To identify the human service needs of local communities, including, but not restricted to, child care, manpower and training, transportation for the elderly and handicapped, referral services, housing, health and other human service activities, and including a review of programs which have been administered in some communities by community action agencies and coordinated through the State Economic Opportunity Office; (2) to identify the resources, both public and private, available to meet those needs; (3) to identify local agencies and organizations with the capability for effectively administering service delivery programs; (4) to award grants and contracts for the administration of human services programs which may be funded from federal, state, regional, local or private sources; (5) to designate eligible community action agencies, funded under the Economic Opportunity Act of 1964 as amended, as service delivery corporations; (6) to designate as service delivery corporations public agencies, public and private non-profit corporations and other private and public agencies eligible to receive funds; and (7) to prescribe uniform criteria and eligibility requirements for the designation of service delivery corporation; and (8) to perform such other functions as may be necessary in carrying out the intents and purposes of this act.

Section 3. The CSA shall be headed by an administrator who shall be the chief administrative officer of the agency. He shall be appointed by the Governor and serve at the pleasure of the Governor. His salary shall be fixed by the Governor at an amount not exceeding \$22,000 annually. He shall coordinate the activities of the agency with other state agencies, local government agencies and institutions, and the Regional Planning and Development Commissions within the twelve sub-state planning and development districts designated by the Governor under Executive Order dated June 14, 1971, as authorized by Legislative Act No. 1126.

Section 4. There shall be three separate divisions within the CSA: The Standard Metropolitan Statistical Area (SMSA) Division, the Urban Division, and the Rural Division. A deputy administrator shall be appointed by the Governor and his salary shall be fixed by the Governor at an amount not exceeding \$20,000 annually. Other authorized personnel shall be selected in accordance with the provisions of the State Merit System.

Section 5. The CSA may receive advances, grants, appropriations, contributions and other forms of assistance from time to time from the State and Federal Government for the purposes of this Act. Funds allocated to public agencies, local governing bodies and eligible private or public non profit corporations for administrative grants shall be allocated on the basis of an equitable formula to be developed by a committee appointed by the Governor.

Section 6. The activities and functions of the CSA shall in no way infringe upon the activities and functions of other state or local agencies.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Culver	Headley	Naramore
Adams	Doss	Hill	Nettles
Barkett	Downing	Hobbie	Owens
Barron	Drake	Hughes	Parker
Benton	Easters	Jackson	Porter
Boutwell	Edwards	Jones (F)	Reed (T)
Brassell	Ellis	King	Reid (R)
Callahan	Erdreich	Lutz	Reynolds
Carnes	Falkenburg	McBride	Roberts
Carter	Fite	McCluskey	Robertson
Casey	Flippo	McDonald	St. John
Chesnut	Goodwin	McMillan	Slate
Connell	Grainger	McNair	Smith (K)
Cottingham	Hale	Manley	Snell
Crowe	Harris	May	Stewart

REGULAR SESSION
30th Day

3913

Stokes	Therrell	Waggoner	Williams	
Stubbs	Timmons	Waldrop	Wood	
Taylor	Turner	Wallace		—71
<i>Nays:</i> Messrs. Boles, Crawford and Lang.				—3

MOTION TO ADJOURN LOST

The motion offered by Mr. Downing that the House adjourn until 1:00 o'clock p.m., Tuesday, August 21, 1973, was lost.

Yeas 39; Nays 51.

Yeas:

Mr. Speaker	Cottingham	Kinsey	Reid (R)	
Bank	Crawford	Lang	Reynolds	
Barkett	Downing	Lutz	Slate	
Bassett	Easters	McDonald	Smith (K)	
Benton	Edwards	Mathews	Stewart	
Brassell	Fite	May	Stokes	
Callahan	Goodwin	Meeks	Therrell	
Casey	Grey (D)	Merrill	Williams	
Cauthen	Hardin	O'Daniel	Wood	
Connell	Jackson	Perloff		—39

Nays:

Messrs.:	Drake	McBride	St. John	
Adams	Ellis	McCluskey	Smith (P)	
Adwell	Erdreich	McMillan	Snell	
Barron	Falkenburg	McNair	Stubbs	
Boles	Flippo	Manley	Taylor	
Burgess	Grainger	Mims	Timmons	
Carnes	Hale	Naramore	Turner	
Carter	Headley	Nettles	Turnham	
Chesnut	Hill	Owens	Waggoner	
Cross	Hobbie	Parker	Waldrop	
Crowe	Hughes	Porter	Warren	
Culver	Jones (F)	Roberts	Wise	
Doss	King	Robertson	Wynot	—51

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 9:15 A.M. on August 16, 1973.

H. 691

Delivered to the Governor at 3:15 P.M. on August 16, 1973.

H. 1513

H. 1636

JOHN W. PEMBERTON,
Clerk.

H. 1022 RESUMED

And the bill, H. 1022 as amended, was again taken up.

ADJOURNMENT

On motion of Mr. Manley, the House adjourned until 2:00 o'clock p.m., Tuesday, August 21, 1973.

Yeas 49; Nays 38.

Yeas:

Mr. Speaker	Doss	Lutz	Reed (T)
Bank	Downing	McDonald	Reid (R)
Barkett	Easters	Manley	Reynolds
Bassett	Edwards	Mathews	Roberts
Benton	Fite	May	Slate
Boutwell	Goodwin	Meeks	Smith (K)
Brassell	Grey (D)	Merrill	Stokes
Casey	Hardin	Mims	Stubbs
Cauthen	Harris	Naramore	Therrell
Connell	Jackson	O'Daniel	Warren
Cottingham	Kinsey	Perloff	Williams
Crawford	Lang	Pruitt	Wood
Culver			

—49

Nays:

Messrs.:	Drake	King	St. John
Adams	Ellis	McBride	Smith (P)
Adwell	Erdreich	McCluskey	Snell
Burgess	Falkenburg	McMillan	Taylor
Carnes	Flippo	McNair	Timmons
Carter	Grainger	Nettles	Turner
Chesnut	Hale	Owens	Waggoner
Coshatt	Hill	Parker	Waldrop
Cross	Hobbie	Porter	Wise
Crowe	Hughes	Robertson	

—38